

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

CrI.O.P.No. 4633 of 2015

Elavarasan

...Petitioner

vs.

The State, rep. by
Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.

...Respondent

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the Principal District and Sessions Judge, Cuddalore, to consider the bail application sympathetically and pass orders on merits on the same day on the petitioner surrender in connection with Cr.No.101 of 2015, pending investigation on the file of the respondent-Police, Cuddalore District.

For Petitioner : Mr.V.K.Rajendiran

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

The petitioner seeks for direction upon the Principal District and Sessions Judge, Cuddalore, to consider his bail application and pass orders on merits on the same day on his surrender in connection with Cr.No.101 of 2015, pending investigation on the file of the respondent-Police, Cuddalore District.

2. The petitioner is an accused for offence punishable under Sections 294 (b), 323 IPC read with Section 3 (1) (v), 3 (1) (s), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014.

3. The submissions made by the learned counsel appearing for petitioner and learned Additional Public Prosecutor, representing the respondent were heard. The materials available on record were also perused.

4. Considering the nature of offences alleged against the petitioner, the fact that anticipatory bail cannot be granted in respect of offences punishable under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014, and that taking into custody of the petitioner, pending consideration of his bail application could cause him irreparable hardship, this Court considers it appropriate to direct the learned Principal District and Sessions Judge, Cuddalore, to consider the bail application of the petitioner on merits and pass appropriate orders on the same day of his surrender.

5. Accordingly, the Criminal Original Petition is ordered.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sd

To

1.The Principal District and Sessions Judge, Cuddalore

2. Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.

2 cc to Mr. V.K.Rajendiran, Advocate, SR.No.10562

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