

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.01.2015****CORAM****THE HON'BLE MR.JUSTICE C.T.SELVAM****CRL.O.P. (MD)No.1059 of 2015****WEB COPY**

1.N.Ashok Kumar
2.Saravanan

.. Petitioners

.. Vs ..

The State rep.by
The Sub-Inspector of Police,
Rajathani Police Station,
Theni District.
(Crime No.13 of 2015)

.. Respondent

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the Principal District Sessions Court(PCR), Theni to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime NO.13 of 2014 on the file of the respondent police.

For Petitioners : Mr.A.Uthayakumar
For respondent : Mr.K.V.Rajarajan
Government Advocate(Crl. Side)

ORDER

The petitioners seek a direction to the Principal District Sessions Court(PCR), Theni to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime NO.13 of 2014 on the file of the respondent police.

2.The petitioners are accused for offences punishable under Sections 324, 323, 109 I.P.C r/w. 3(i), (r) & (s) (POA) Amendment Ordinance Act 2014 and 3(2)(Xi) of POA Act, 1989.

3.The submissions made by the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) representing the respondent were heard. The materials available on record were also perused.

4.Considering the nature of offences alleged against the petitioners, the fact that anticipatory bail cannot be granted in respect of offences punishable under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and that taking into custody of the petitioners pending consideration of their bail application could cause them irreparable hardship, this Court considers it appropriate to direct the Principal District Sessions Court(PCR), Theni to consider the bail application of the petitioners on merits and pass appropriate order on the same day of their surrender.



5.The petition is ordered accordingly.

Sd/-

Assistant Registrar(CO)

/True copy/

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Sub Assistant Registrar

pm

To

1.The Principal District Sessions Court(PCR),
Theni

2.The Sub-Inspector of Police,
Rajathani Police Station,
Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.A.Uthaya kumar, Advocate SR NO.3422

CRL.O.P. (MD) No.1059 of 2015
23.01.2015

rg.30.01.2015

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