



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

CRL.O.P. (MD) No.10800 of 2015

WEB COPY

Rajakadhar

...Petitioner/Accused NO.5

Vs.

The State rep. by,  
The Inspector of Police,  
Senkottai Police Station,  
Tirunelveli District.  
(Crime No.221 of 2013).

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the IInd Additional District and Sessions Judge cum PCR Court, Tirunelveli District to accept the surrender of the petitioner and consider his bail application on the same day in connection with Crime No.221 of 2013 on the file of the respondent police and pass such further orders.

For Petitioner : Mr.D.Selvanayagam

For Respondent : Mr.P.Kannithevan

Government Advocate, (Crl. Side)

#### O R D E R

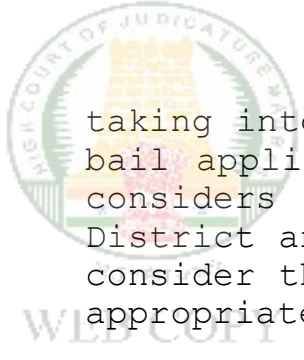
The petitioner seeks a direction to the learned IIAdditional District and Sessions Judge cum PCR Court, Tirunelveli District to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.221 of 2013 pending investigation on the file of the second respondent police.

2.The petitioner is accused for offences punishable under Sections 147, 294(b), 323, 506(ii) of IPC r/w Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes Act, 1989.

3. The submissions made by Mr.D.Selvanayagam, learned counsel for the petitioner and by Mr.P.Kannithevan, learned Government Advocate (Crl. Side) representing the respondent were heard. The materials available on record were also perused carefully.

4. It is submitted by the learned Government Advocate (Crl. Side) that the injured had been discharged from the hospital. The said submission is recorded.

5. Considering the nature of offences alleged against the petitioner, on the basis of the fact that anticipatory bail cannot be granted in respect of offences punishable under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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 II Additional District and Sessions Judge cum PCR Court, Tirunelveli District to consider the bail application of the petitioner on merits and pass appropriate order on the same day of his surrender.

6. The petition stands disposed of accordingly.

Sd/-

Assistant Registrar(Writ)

/True copy/

Sub Assistant Registrar

PJL/RR

To

1. The II Additional District and Sessions Judge cum PCR Court, Tirunelveli District, Tirunelveli.
2. The Inspector of Police, Senkottai Police Station, Tirunelveli District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to MR.D.Selvanayagam, Advocate in sr No.30976

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16.06.2015

rg.19.06.2015

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