



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

CRL.O.P(MD).No.10901 of 2015

WEB COPY

1.Prabhu @ Prabhakaran

2.Kannan

...Petitioner

Vs.

The State

by The Inspector of Police,

Vathalagundu Police Station,

Dindigul District.

(Crime No.148 of 2015).

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul to consider their bail application on the same day of their surrender in respect of Crime No. 148 of 2015 on the file of the respondent, pending investigation.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.P.Kannithevan

Government Advocate, (Crl. Side)

O R D E R

The petitioners seek a direction to the learned Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul to release the petitioner on bail, on the same day in the event of their surrender and filing bail application in Cr.No.148 of 2015 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections 147, 323 and 506(ii) of IPC r/w Section 3(1) of the TNPPDL Act and r/w Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014.

3. The submissions made by Mr.D.Venkatesh, learned counsel for the petitioners 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. 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) Amendment Ordinance Act, 2014 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 learned Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul to consider the bail application of the petitioner on merits and pass appropriate order on the same day of their surrender.



5. The petition stands disposed of accordingly.

Sd/-

Assistant Registrar(CO)

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/True copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge
(Special Court for PCR Cases),
Dindigul.
2. The Inspector of Police,
Vathalagundu Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.D.Venkatesh,Advocate SR.No.31549

CRL.O.P. (MD) No.10901 of 2015
17.06.2015

PJL/RR

PA/19.06.2015/2P/5C