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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.1164 of 2015

1.Arun Kumar
2.Sankar

.. Petitioners

.. Vs ..

The State rep. by
1.The Deputy Superintendent of Police,
Theni Circle,
Theni District.

2.The Inspector of Police,
Allinagaram Police Station,
Theni District.
(Crime No.565 of 2014)

.. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the District and Sessions Judge (P.C.R Cases), Theni, Theni District to consider the bail application of the petitioners on the same day of their surrender in Crime No.565 of 2014 on the file of the second respondent police.

For Petitioners : Mr.P.Mahendran
For respondents : Mr.K.V.Rajarajan
Government Advocate(Crl. Side)

ORDER

The petitioners seek a direction to the learned District and Sessions Judge(P.C.R Cases), Theni, Theni District to consider the bail application of the petitioners on the same day of their surrender in Crime No.565 of 2014 on the file of the second respondent police.

2.The petitioners are accused for offences punishable under Sections 147, 148, 336, 307 I.P.C r/w. 3(1), (r) & (s) 3(2)(va) (POA) Amendment Ordinance Act 2014.

3.The submissions made by the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) representing the <https://hseviserules.in/hseviserules/> 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 learned District and Sessions Judge(P.C.R Cases), Theni, Theni District 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/

Sub Assistant Registrar

To

- 1.The District and Sessions Judge(P.C.R Cases), Theni,
Theni District
- 2.The Deputy Superintendent of Police,
Theni Circle,
Theni District.
- 3.The Inspector of Police,
Allinagaram Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.Mahendran,dvocate, SR.No.3237

CRL.O.P. (MD) No.1164 of 2015
23.01.2015

pm

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