



BEFORE MADURAI BENCH OF MADRAS HIGH COURT
DATED:28.01.2015

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

CRL.O.P.(MD) No.1265 OF 2015

S.S.Babu

.. Petitioner

Vs.

The State represented through
The Sub-Inspector of Police
Theni Police Station,
Theni.

(Crime No.393 of 2012)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Principal District Sessions Court, Theni to consider the bail application of the petitioner herein on the date of his surrender in Crime No.393 of 2012 on the file of the respondent police and grant the same on the very same day.

For Petitioner : Mr.P.R.Prithiviraj
For Respondent : Mr.K.V.Rajaraman
Government Advocate, (Crl. Side)

O R D E R

The petitioner seeks a direction to the learned Principal District and Sessions Judge, Theni, to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.393 of 2012 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections 147, 294(b), 342, 323 IPC and 3(1)(X) of SC/ST Act, 1989.

3.The submissions made by Mr.P.R.Prithiviraj, learned counsel for the petitioner and by Mr.K.V.Rajaraman, 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 petitioner, 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 petitioner pending consideration of his bail application could cause him irreparable hardship, this Court considers it appropriate to direct the learned Principal District Sessions Judge, Theni, to consider the bail application of the petitioner on merits and pass appropriate order on the same day of his surrender.



5.The petition is ordered accordingly.

Sd/-

Assistant Registrar(T&P)

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/True Copy/

Sub-Assistant Registrar

To

- 1.The Principal District Sessions Court, Theni
- 2.The Sub-Inspector of Police,Theni Police Station,Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.P.R.Prithiviraj, Advocate, SR.No.3746

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RL/5 c- 5/2/2015

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