



BEFORE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.01.2015

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

CRL.O.P.(MD) No.1390 OF 2015

WEB COPY

1.Paramasivam
2.Karuppaiah
3.Rajamoorthy
4.Muthaiah
5.Rajasekaran
6.Ayappan
7.Saravanan

8.Jeya

9.Dhanam @ Dhanalakshmi
A18

.. Petitioners/A2,A3,A5,A6,A7,A8,A13,A17 &

Vs.

State represented by
The Inspector of Police
Kalaiyarkoil Police Station,
Sivagangai District.

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Principal District and Sessions Judge (PCR Court), Sivagangai to consider the bail application of the petitioners herein on their surrender before the same court on merits on the same day in connection with the Crime No.14 of 2015 on the file of the respondent police.

For Petitioners : Mr.K.Gokul

For Respondent : Mr.K.V.Rajarajan
Government Advocate, (Crl. Side)**O R D E R**

The petitioners seek a direction to the learned Principal District and Sessions Judge (PCR Court), Sivagangai to release the petitioners on bail, on the same day in the event of their surrender and filing bail application in Cr.No.14 of 2015 pending investigation on the file of the respondent police.

2.The petitioners are accused for offences punishable under Sections 147, 148, 294(b), 323, 324, 336, 506(ii) IPC and Section 4 of Tamilnadu Prohibition of WomenHarassment Act and r/w 3(i)(s)(r) SC/ST (Prevention of Atrocities) Act, Amendment Ordinance 2014.



3.The submissions made by Mr.K.Gokul, learned counsel for the petitioners and by Mr.K.V.Rajarajan, 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 SC/ST (POA) Act 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 (PCR Court), Sivagangai, to consider the bail application of the petitioners on merits and pass appropriate order on the same day of their surrender.

6.The petition is ordered accordingly.

Sd/-

Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Principal District and Sessions Judge (PCR Court), Sivagangai
- 2.The Inspector of Police,Kalayiyarkoil Police Staion,Sivagangai District.
- 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.K.Gokul,Advocate, SR.No.3674

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