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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2015

CORAM

THE HON'BLE MR.JUSTICE C.T.SELVAM

CRL.O.P.(MD)No.1547 of 2015

Silambu

.. Petitioner/Accused No.3

.. Vs ..

State rep. by
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
Crime No.338 of 2013.

.. Respondent/Complainant

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the Special Court for PCR cases namely III Additional District & Sessions Judge P.C.R., Madurai to accept the surrender of the petitioner in Crime No.338 of 2013 on the file of the respondent and dispose of his bail application.

For Petitioner : Mr.M.Karunanithi
for M/s.K.J.Associates

For respondent : Mr.K.V.Rajarajan
Government Advocate(Crl. Side)

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ORDER

The petitioner seeks a direction to the III Additional District & Sessions Judge P.C.R., Madurai to accept the surrender of the petitioner in Crime No.338 of 2013 on the file of the respondent and dispose of his bail application.

2.The petitioner is accused for offences punishable under Sections 294(b), 323, 355, and 506(i) I.P.C r/w. 3(i)(X) of SC & ST Act, 1989.

3.The submissions made by Mr.M.Karunanithi, learned counsel for the petitioner 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 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 III Additional District & Sessions Judge P.C.R., Madurai, 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.

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Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar(C.S.)

To

1.The III Additional District &
Sessions Judge P.C.R., Madurai

2.The Inspector of Police,
Keelavalavu Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court
Madurai.

+1cc to Mr.K.J.ASSOCIATES, Advocate Sr.No.4465

TS/29.01.2015/2P-5C

CRL.O.P. (MD) No.1547 of 2015
29.01.2015