

**BEFORE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.02.2015****CORAM:****THE HONOURABLE MR. JUSTICE C.T. SELVAM****CRL.O.P.No.2068 of 2015**

1.Newbert
2.Kebees @ Jebees
3.Smaittus @ Dittus

.. Petitioners/A2, A5 and A9
Vs.

State rep. by
The Inspector of Police
Tiruchendur Police Station,
Thoothukudi District
(Crime No.453 of 2014)

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Special Judge for SC/ST (Prevention of ATrocities) Act/2nd Additional District & Sessions Judge (PCR Unit), Tirunelveli to consider the bail application of the petitioners on the same day of their surrender in Crime No.453 of 2014 on the file of the respondent police and pass such other or further orders as this Court may deem fit and proper in the nature and circumstances of the case.

For Petitioners	:	Mr.M.Alagappan
For Respondent	:	Mr.K.V.Rajarajan
		Government Advocate, (Crl. Side)

O R D E R

The petitioners seek for a direction to the learned Special Judge for SC/ST (Prevention of Atrocities) Act/2nd Additional District & Sessions Judge (PCR Unit), Tirunelveli, to release the petitioners on bail, on the same day in the event of their surrender and filing bail application in Cr.No. 453 of 2014 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 IPC and 3(1) (x) of the SC and ST Act 1989.

3.The submissions made by Mr.M.Alagappan, 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 the the Scheduled Cast and The Scheduled Tribes 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 Special Judge for SC/ST (Prevention of Atrocities) Act/2nd Additional District & Sessions Judge (PCR Unit), Tirunelveli, 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(Writ)

/True copy/

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Sub Assistant Registrar

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To

1.The Special Judge for SC/ST (Prevention of Atrocities) Act/2nd
Additional District & Sessions Judge (PCR Unit), Tirunelveli

2.The Inspector of Police,Tiruchendur Police Station,Thoothukudi District

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

+1cc to MR.M.Alagappan,ADVOCATE IN SR NO. 5802

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09.02.2015

rg.12.02.2015

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