



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2015

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THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.O.P.(MD)No.2190 of 2015

Sakthimurugan

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.49 of 2015)

... Respondent

Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District and Sessions Judge cum PCR Court, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai, to accept the surrender of the petitioners/accused and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.49 of 2015 on the file of the respondent police.

For Petitioner : Mr.V.Malaiyendran
For Respondent : Mr.P.Kandasamy,
Government Advocate (Crl. Side)

ORDER

The petitioner seeks a direction to the learned Principal District and Sessions Judge cum PCR Court, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989) Sivagangai, to consider his bail application on the same day of his surrender in respect of Crime No.49 of 2015 on the file of the respondent, pending investigation.

2.The petitioner is accused for offences punishable under Sections 294(b) IPC and Sections 3(i)(R)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014.

3.The submissions made by the learned Counsel for the petitioner and the 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 Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014 and that taking into custody of the petitioner pending consideration of bail application could cause him irreparable hardship, this Court considers it appropriate to direct the learned Principal District and Sessions Judge cum PCR Court, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989), Sivagangai, to consider and dispose the bail application to be filed by the petitioner on the same day itself in connection with the case in Crime No.49 of 2015 on the file of the respondent police. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

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

+1cc to Mr.V.Malaiyendran, Advocate, in SR. No.6126.

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