



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2015

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

CRL.O.P. (MD)No.2389 of 2015

Mayandi

..Petitioner

.. Vs ..

State rep. by
The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.
(Crime No.231 of 2014)

..Respondent

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the Special Judge for SC/ST (Prevention of Atrocities) Act/II Additional District & Sessions Judge (PCR Unit), Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in Crime No.231 of 2014 on the file of the respondent police.

For Petitioner : Mr.R.Pon Karthikeyan
For respondent : Mr.K.Anbarasan
Government Advocate(Crl. Side)

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ORDER

This Criminal Original Petition has been filed to direct the Special Judge for SC/ST(Prevention of Atrocities) Act/II Additional District & Sessions Judge(PCR Unit), Tirunelveli, to consider the bail application of the petitioner, on the same day in the event of his surrender and filing bail application in Crime No.231 of 2014 on the file of the respondent police.

2.The petitioner is arrayed as Accused No.1 and he is facing prosecution along with other accused for the alleged commission of offence under Sections 147, 294(b), 506(ii) of I.P.C., r/w Section 3(1) (r) (s), 3(2) (va) of SC/ST(Prevention of Atrocities) Amendment Ordinance Act, 2014, said to have been committed on 07.10.2014 and the F.I.R. came to be registered on 11.10.2014.

3. The learned counsel for the petitioner would submit that the petitioner is falsely implicated in this case and he is nothing to do with the alleged commission of offence.

4. The learned Government Advocate (Crl. Side) would submit that the case after investigation is culminated in filing of charge sheet, which has been taken on file in P.R.C.No.28 of 2014 by the Court of Judicial Magistrate, Vilathikulam.

5. Considering the submission of the petitioner and considering the facts and circumstances, by issuing a direction to the lower Court to dispose of the petition for bail on the same day, no prejudice would be caused to the prosecution, the following direction is issued to the lower



Court:

"In the event of the petitioner surrendering before the lower Court and his filing of petition seeking bail, the lower Court shall dispose of the said petition for bail on the same day strictly on merits and in accordance with law."

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6. Accordingly, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1. The Special Judge for the Trial of cases under SC/ST
(Prevention of Atrocities) Act/
II Additional District & Sessions Judge (PCR Unit),
Tirunelveli.

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

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

+1CC to M/s.R.Pon Karthikeyan, Advocate in SR.6853

CRL.O.P. (MD) No.2389 of 2015

13.02.2015

pm

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