



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2015

CORAM

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

CRL.O.P.(MD)No.2866 of 2015

Rafiq Raja

.. Petitioner

.. Vs ..

1.State rep. by the
Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor, Theni District.

2.C.Veluchamy

.. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the learned Principal District and Sessions Judge, Theni, to consider the bail application of the petitioner on his surrender before the same Court on merits on the same day in connection with the Crime No.70 of 2015 on the file of the first respondent herein.

For Petitioner : Mr.G.Vanjinathan
For R-1 : Mr.K.V.Rajaraman
Government Advocate(Crl. Side)

ORDER

The petitioner seeks a direction to the learned Principal District and Sessions Judge, Theni, to consider the bail application of the petitioner on his surrender before the same Court on merits on the same day in connection with the Crime No.70 of 2015 on the file of the first respondent herein.

2.The petitioner is accused for offences punishable under Sections 294(b), 323, 341 & 355 of I.P.C and Section 3(2)(Va), 3(1)(r)(s) of SC/ST(POA)Act, Amendment Ordinance Act, 2014.

3.The submissions made 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 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 Principal District and Sessions Judge, Theni 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.

Sd/-
Assistant Registrar (AS)

/True copy/

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Sub Assistant Registrar

pm

To

1.The Principal District and Sessions Judge,
Theni.

2.Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor, Theni District.

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

+1cc to MR.G.VANJINATHAN,ADVOCATE IN SR NO.7522

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