



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2015

CORAM

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

CRL.O.P.(MD)No.3050 of 2015

WEB COPY

Ponnaiyah @ Ilayaraja

.. Petitioner/Single Accused

.. Vs ..

State by Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.
(Crime No.48 of 2015)

.. Respondent/Complainant

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the learned Sessions Judge cum P.C.R. Court, Sivagangai to accept the surrender of the petitioner in connection with the Crime No.48 of 2015 pending investigation on the file of the respondent police and to consider and pass orders in the bail application on the same day.

For Petitioner : Mr.V.Kannan

For respondent : Mr.K.V.Rajarajan

Government Advocate(Crl. Side)

ORDER

The petitioner seeks a direction to the learned Sessions Judge cum P.C.R. Court, Sivagangai to accept the surrender of the petitioner in connection with the Crime No.48 of 2015 pending investigation on the file of the respondent police and to consider and pass orders in the bail application on the same day.

2.The petitioner is accused for offences punishable under Sections 294(b) and 324 of I.P.C and 3(1)(s)(r) of SC/ST(P.A) Act, 1989.

3.The submissions of the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for 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 Sessions Judge cum P.C.R. Court, Sivagangai, 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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/True copy/

Sd/-
Assistant Registrar (CO)

Sub Assistant Registrar

To

1.The Sessions Judge cum P.C.R. Court,
Sivagangai.

2.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

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

+1cc to MR.V.KANNAN, ADVOCATE IN SR : 8385

Pm

SR : 26.02.2015 : 2p/5c

CRL.O.P. (MD) No.3050 of 2015
23.02.2015