



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.3230 of 2015

WEB COPY

1.Kabali
2.M.Shahul Hameed

.. Petitioners/Accused Nos.2 &3

.. Vs ..

State represented by
The Inspector of Police,
Town Police Station
Bodinayakkanur,
Theni District.
Crime No.73 of 2015.

.. Respondent/Complainant

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the learned Principal District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Theni to accept the surrender of the petitioners/accused and consider the petitioners' bail application in Crime No.73 of 2015 on the file of the respondent police.

For Petitioners : Mr.T.Vadivelan

For Respondent : Mr.K.V.Rajarajan

Government Advocate(Crl. Side)

ORDER

The petitioners seek a direction to the learned Principal District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Theni to accept the surrender of the petitioners/accused and consider the petitioners' bail application in Crime No.73 of 2015 on the file of the respondent police.

2.The petitioners are accused for offences punishable under Sections 294(b), 506(i) I.P.C r/w 3(1)(r)(s) SC/ST Act Amendment Ordinance Act, 2014.

3.The submissions of the learned counsel for the petitioners 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 petitioners, 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 petitioners pending consideration of their bail application could cause them irreparable hardship, this Court considers it appropriate to direct the learned Principal District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Theni 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(CO)

/True copy/

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sub Assistant Registrar

pm

To

1.The Principal District and Sessions Court
(Special Court for Scheduled Castes
and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Theni.

2.The Inspector of Police,
Town Police Station
Bodinayakkanur,
Theni District.

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

+1cc to MR.T.VADIVELAN,ADVOCATE IN SR NO. 8060

CRL.O.P. (MD)No.3230 of 2015
23.02.2015

rg.02.03.2015 2p.5c.