



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE C.T.SELVAM

CRL.O.P.No.3434 of 2015

1. SIVASAMY
2. PANDI @ JEYAPANDI .. PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
CUMBAM, THENI DISTRICT. .. RESPONDENT/COMPLAINANT
***[CRIME NO.98/2015]**

Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Sessions Judge Cum PCR Court, Theni to accept the surrender of the petitioners and consider this bail application on the same day in connection with Cr.No.93/2015 pending investigation on the file of the respondent police.

For Petitioners : Mr.G.Thiruvarutselvan

For Respondent : Mr.K.Anbarasan,
Government Advocate, (Crl. Side)

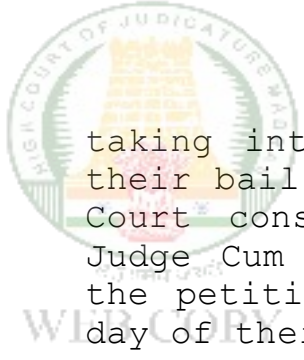
O R D E R

The petitioners seek for a direction to the learned Sessions Judge Cum PCR Court, Theni, to release the petitioners on bail, on the same day in the event of their surrender and filing bail application in ***Cr.No.98 of 2015** pending investigation on the file of the respondent police.

2.The petitioners are accused for offences punishable under Sections 147, 294(b) and 323 IPC r/w Section 3(i) (r) (s), 3(2) (Va) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Amendment & Ordinance Act 2014.

3.The submissions made by Mr.G.Thiruvarutselvan, learned counsel for the petitioners and by Mr.K.Anbarasan, 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 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 Sessions Judge Cum PCR Court, 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(A.E.,)

***Amended as per order of this
Court dated 10.03.2015 made in
MD(MD)No. 1 of 2015
in CRL OP(MD)No. 3434 of 2015.**

Assistant Registrar(CO,)

/True Copy/

Sub-Assistant Registrar

To

***To be substituted the order already dispatched on 27.02.2015.**

1. THE SESSIONS JUDGE CUM PCR COURT, THENI.
2. THE INSPECTOR OF POLICE, CUMBUM NORTH POLICE STATION,
CUMBAM, THENI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC TO MR.G.THIRUVARUTSELVAN, ADVOCATE, IN SR. NO.9142.

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26.02.2015

rj2

msm 26.02.2015 p2/5c(IT)

TS/12.03.2015/2P-5C