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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2015

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

CRL.O.P. (MD) No.3793 of 2015

1.Indirajith
2.Mangayarkarasi

.. Petitioners

.. Vs ..

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kamuthi, Ramanathapuram District.

2.The Inspector of Police,
Kamuthi Police Station,
Kamuthi,
Ramanathapuram District.
(Crime No.49 of 2015)

.. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the learned Principal District and Sessions Judge (PCR) Court, Ramanathapuram District, Ramanathapuram to consider the petitioner's bail petition on merits upon the petitioners surrender before the said Court and enlarge the petitioners on bail on the same day according to the law in Crime No.49 of 2015 on the file of the second Respondent police.

For Petitioners : Mr.K.Neelamegam

For Respondents : Mr.K.V.Rajarajan

Government Advocate (Crl. Side)

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ORDER

The petitioners seek a direction to the Principal District and Sessions Judge (PCR) Court, Ramanathapuram District, Ramanathapuram to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.49 of 2015 on the file of the second respondent.

2.The petitioners are accused for offences punishable under Sections 294(b), 323, 506(i), r/w 3(1)(X) & (3) of SC/ST POA 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 Judge (PCR) Court, Ramanathapuram District, Ramanathapuram 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

/True copy/

sub Assistant Registrar(c.s)

To

1.The Principal District and
Sessions Judge (PCR) Court,
Ramanathapuram District, Ramanathapuram

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kamuthi, Ramanathapuram District.

2.The Inspector of Police,
Kamuthi Police Station,
Kamuthi, Ramanathapuram District.

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

+1cc to M/S. K.Neelamagam, Advocate in SR.No. 9926

TS/12.03.2015/2P-6C

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03.03.2015