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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

CRL.O.P.(MD)No.3936 of 2015

KARTHIK

.. Petitioner/Accused No.2

Vs

1. THE DEPUTY SUPERINTENDENT OF POLICE,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

2. THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
SIVAKASI EAST,VIRUDHUNAGAR DISTRICT.
CR. NO. 02/2015.

.. Respondents/Complainants

Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Learned Principal District Judge cum Special Judge for PCR Cases, Virudhunagar District to consider the bail application of the petitioner/Sole Accused if any filed by him on his surrender on the same day in Cr.No.02/2015 on the file of the 2nd respondent police.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.K.V.Rajarajan
Government Advocate, (Crl. Side)

O R D E R

The petitioner seeks a direction to the learned Principal District Judge cum Special Judge for PCR Cases, Virudhunagar District to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.02 of 2015 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections 294(b), 323 and 324 IPC r/w. 3(1)(r)(s), 3(II)(r)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3.The submissions made by Mr.M.Sankar, learned counsel for the petitioner and by Mr.K.V.Rajarajan, 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, 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 Judge cum Special Judge for PCR Cases, Virudhunagar District 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(T&P)

/TRUE COPY/

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Sub Assistant Registrar

To

1. THE PRINCIPAL DISTRICT JUDGE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
SIVAKASI,VIRUDHUNAGAR DISTRICT.
3. THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION, SIVAKASI EAST,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1cc to Mr.M.Sankar,Advocate SR.No.10963

CRL.O.P. (MD) No.3936 of 2015
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