



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

CRL.O.P.No.4247 of 2015

Ganesan

... Petitioner/Sole Accused

Vs

State Represented by
Inspector of Police,
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.
(Crime No.102 of 2015)

... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Learned Principal District and Sessions Judge(Special Court for Scheduled Castes and scheduled Tribes(Prevention of Atrocities)Act, 1989, Sivagangai to accept the surrender of the petitioner/accused and consider the petitioner's bail application on the date of Surrender itself in Cr.No.102/2015 on the file of respondent police.

For Petitioner : Mr.S.Karthick

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

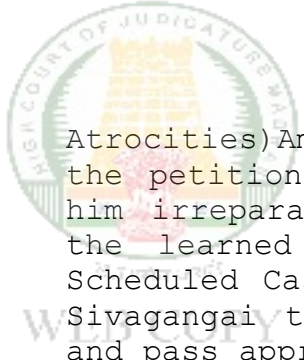
O R D E R

The petitioner seeks a direction to the learned Learned Principal District and Sessions Judge (Special Court for Scheduled Castes and scheduled Tribes(Prevention of Atrocities)Act, 1989, Sivagangai to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.102 of 2015 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections 323, 355 of IPC r/w Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Amendment Ordinance Act-2014.

3.The submissions made by Mr.S.Karthick, 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, one bail cannot be granted and anticipatory bail cannot be granted in respect of offences punishable under the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities)Amendment Ordinance Act-2014 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 and Sessions Judge (Special Court for Scheduled Castes and scheduled Tribes (Prevention of Atrocities) Act,1989 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.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1. The Principal District and Sessions Judge,
(Special Court for Scheduled Castes and
scheduled Tribes(Prevention of Atrocities)Act, 1989, Sivagangai
- 2.The Inspector of Police,
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TS/09.03.2015/2P-4C

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