



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE C.T.SELVAM

CRL.O.P.No.4731 of 2015

1.S.PRAKASH

2.S.KANNAN

... Petitioner

Vs

THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
CR. NO.384/2014.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Learned III-Additional Sessions Judge cum Special Judge for PCR Cases, Madurai to consider the bail application of the petitioner/Accused in Cr. No. 384/2014 on the file of the respondent police and consider his bail application on the same day of surrender on merits.

For Petitioners : Mr.G.Karuppasamy Pandian

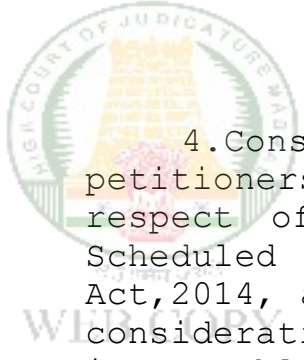
For Respondent : Mr.K.Anbarasan,
Government Advocate, (Crl. Side)

O R D E R

The petitioner seeks for a direction to the learned III-Additional Sessions Judge cum Special Judge for PCR Cases, Madurai, to release the petitioners on bail, on the same day in the event of their surrender and filing bail application in Cr.No.384 of 2014, pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections 147, 294(b), 323, 354(a), 506(ii) of IPC & 3(1)(r), 3(i) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014.

3.The submissions made by Mr.G.Karuppasamy Pandian, 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) Amendment Ordinance Act,2014, 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 III-Additional Sessions Judge cum Special Judge for PCR Cases, Madurai, 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(Writs)

/True Copy/

Sub-Assistant Registrar

To

1.THE III ADDITIONAL SESSIONS JUDGE CUM
SPECIAL JUDGE FOR PCR CASES, MADURAI.

2.THE INSPECTOR OF POLICE, OTHAKADAI POLICE STATION,
MADURAI DISTRICT.

3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.G.Karuppasamy Pandian, Advocate, in SR. No.12447.

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