



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2015

CORAM

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

CRL.O.P. (MD)No.4821 of 2015

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Habeeb Nazer

..Petitioner/Sole Accused

.. Vs ..

The State rep. by its
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.148 of 2015)

..Respondent

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the Honourable District and Sessions Judge(P.C.R Cases) Sivagangai, to consider the bail application on the surrender of the petitioner/accused on the same day in connection with Crime No.148 of 2015 on the file of the respondent police, on merits on the same day.

For Petitioner : Mr.J.Jeyakumaran
For respondent : Mr.K.V.Rajarajan
Government Advocate(Crl. Side)

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ORDER

The petitioner seeks a direction to the learned District and Sessions Judge(P.C.R Cases) Sivagangai, to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.148 of 2015 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Section 354(A) I.P.C and Section 4 of Tamil Nadu Prohibition of Women Harassment Act r/w. 3(1)(w) (i) of SC/ST(POA) Ordinance Amendments Act 2014.

3.The submissions made by Mr.J.Jeyakumaran 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, 1989 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 District and Sessions Judge(P.C.R Cases) 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(CO)

/True copy/

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Sub Assistant Registrar

To

1.The District and Sessions Judge
(P.C.R Cases) Sivagangai.

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

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

+1CC to M/s.J.Jeyakumar, Advocate in SR.13443

CRL.O.P. (MD) No.4821 of 2015
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