



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.03.2015
CORAM:

THE HONOURABLE MR.JUSTICE C.T. SELVAM

WEB COPY

CRL.O.P.No.5012 of 2015

BHUVANESHWARAI

...PETITIONER/ACCUSED NO.1

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUVIDAIMARUTHUR POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.74/2015)

...RESPONDENT/COMPLAINANT

Criminal Original Petition filed under Section 482 Cr.P.C. praying to accept the surrender of the petitioner before the Special Court for S.C/ST (Prevention of Atrocities) Act i.e., the first Additional District and Sessions Judge, (Special Court for PCR Cases), at Thanjavur, in connection with the crime no.74 of 2015 on the file of the respondent police and to consider the bail application filed by the petitioner on the same day.

For Petitioner : Mr.V.Achuthan

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

ORDER

The petitioner seeks a direction to the first Additional District and Sessions Judge, (Special Court for PCR Cases), at Thanjavur, to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.74 of 2015 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections 294(b), 355, 436, 323, 506(i) of IPC r/w section 3(i)(r)(s), 3(2)(Va) and 3(2) 3 (iv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2014.

3.The submissions made by Mr.V.Achuthan, 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), 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 first Additional District and Sessions Judge, (Special Court for PCR Cases), at Thanjavur, to consider the bail application of the petitioner on merits and pass appropriate order on the same day of his surrender.

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5.The petition is ordered accordingly.

Sd/-

Assistant Registrar(AE)

\\True copy\\

Sub Assistant Registrar

To

1 I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
(SPECIAL COURT FOR PCR CASES), AT THANJAVUR,

2. THE INSPECTOR OF POLICE,
THIRUVIDAIMARUTHUR POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC TO M/S.V.ACHUTHAN, ADVOCATE SR.NO.13066

CRL.O.P.No.5012 of 2015
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PJ1/AKV

NA/23/03/2015/P2/5C