



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2015

CORAM

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

CRL.O.P.(MD)No.5904 of 2015

.. Petitioner/Accused No.3

.. Vs ..

1.The Deputy Superintendent of Police,
Alangulam,
Tirunelveli District.

2.The Special Sub-Inspector of Police,
Utthumalai Police Station,
Tirunelveli District.

(Crime No.50 of 2015) .. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the learned II Additional District and Sessions Judge(Special Court for Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Tirunelveli to accept the surrender of the petitioner/Accused No.3 and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.50 of 2015 on the file of the respondent No.2, dated 28.02.2015.

For Petitioner : Mr.R.Rajeshkumar

For respondents : Mr.K.Anbarasan

Government Advocate(Crl. Side)

ORDER

The petitioner seeks a direction to the learned II Additional District and Sessions Judge(Special Court for Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Tirunelveli to accept the surrender of the petitioner/Accused No.3 and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.50 of 2015 on the file of the respondent No.2, dated 28.02.2015.

2.The petitioner is accused for offences punishable under Sections 147, 294(b) of I.P.C and Section 3(1)(X) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,1989.

3.The submissions made by Mr.R.Rajeshkumar, learned counsel for the petitioner and by Mr.K.Anbarasan, learned Government Advocate (Crl. Side) representing the respondents 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 II Additional District and Sessions Judge(Special Court for Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Tirunelveli, to consider the bail application of the petitioner on merits and pass appropriate order on the same day of his surrender.

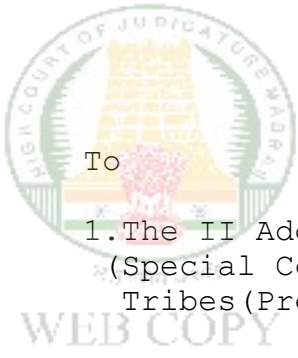
5.The petition is ordered accordingly.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar



To

1.The II Additional District and Sessions Judge
(Special Court for Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Tirunelveli.

2.The Deputy Superintendent of Police,
Alangulam,
Tirunelveli District.

3.The Special Sub-Inspector of Police,
Utthumalai Police Station,
Tirunelveli District.

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

+1cc to Mr.R.RajeshKumar, Advocate in SR.No.15942

sm:08.04.2015:2P/6C

CRL.O.P. (MD) No.5904 of 2015
31.03.2015