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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CRL.O.P.No.6442 of 2015

Devaraj

... Petitioner/Accused No.3

Vs.

State through
The Inspector of Police,
D2, Perungudi Police Station,
Madurai District.
Crime No.28/2014.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned III-Additional District Sessions Judge (PCR), Madurai to consider the bail application of the petitioner/Accused on the same day in Crime no.28/2014 on the file of the respondent Police.

For Petitioner : Mr.R.Karunanidhi

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

O R D E R

The petitioners seek a direction to the III-Additional District Sessions Judge (PCR), Madurai, to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.28 of 2014 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections 294(b), 324.307 of IPC r/w section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.The submissions made by Mr.R.Karunanidhi learned counsel for the petitioner 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 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 III-Additional District Sessions Judge (PCR), Madurai 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.

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Sd/-
Assistant Registrar

Sub Assistant Registrar

To

1. The III-Additional District Sessions Judge (PCR), Madurai

2.The Inspector of Police,
D2, Perungudi Police Station,
Madurai District.

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

+1cc TO M/S.R.KARUNANIDHI, ADVOCATE SR.NO. 17941

TS/13.04.2015/2P-5C

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