



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.04.2015
CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

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CRL.O.P.No.6702 of 2015

Xavier Raja

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
Crime No.35/2015.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned II-Additional District and Sessions Judge (PCR Court), Tirunelveli, Tirunelveli District to consider the bail application to be filed by the petitioner on the same day of its filing on his surrendering in connection with the case in Crime No.35 of 2015, on the file of the Inspector of Police, Radhapuram Police Station, Tirunelveli District.

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

O R D E R

The petitioner seeks a direction to II-Additional District and Sessions Judge (PCR Court), Tirunelveli, Tirunelveli District, to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.35 of 2015 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections under section 465 ,467,468,471,420 of I.P.C. read with Section 3(1)(g) and 3(1)(p) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Act, 1989 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Amendment Ordinance Act,2014.

3.The submissions made by Mr.R.Anand, 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 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 II-Additional District and Sessions Judge (PCR



Court), Tirunelveli, Tirunelveli District, 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(T&P)

Sub- Assistant Registrar

To

1. The II-Additional District and Sessions Judge (PCR Court),
Tirunelveli, Tirunelveli District,

2.The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

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

+1cc to Mr.R.Anand, Advocate in SR.No. 18783

pjl/ses

Sm:20.04.2015:2P/5C

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