



S.Sakthivel
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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CRL.O.P.No.6774 of 2015

... Petitioner

Vs.

1.State rep. by,
The Inspector of Police,
Sivagiri Police Station,
Tirunelveli District.
Crime No.76/2015.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act/2nd Additional District & Sessions Judge (PCR Unit), Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in Crime No.76 of 2015, on the file of the respondent Police.

For Petitioner	: Mr.P.T.Ramesh Raja
For Respondents	: Mr.K.Anbarasan
	Government Advocate, (Crl. Side)

O R D E R

The petitioner seeks a direction to the Special Judge for SC/ST (Prevention of Atrocities) Act/2nd Additional District & Sessions Judge (PCR Unit), Tirunelveli, to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.76 of 2015 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections under sections 3(i)(viii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Act, 1989.

3.The submissions made by Mr.P.T.Ramesh Raja, 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 Special Judge for SC/ST (Prevention of Atrocities) Act/2nd Additional District & Sessions Judge (PCR Unit), 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/



To

1.The Special Judge for SC/ST (Prevention of Atrocities)
Act/2nd Additional District & Sessions Judge
(PCR Unit), Tirunelveli.

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

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

+1cc to Mr.C.Joseph Sathianeson, Advocate in SR.No. 18697

pjl/ses

Sm:20.04.2015:2P/5C

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