



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CRL.O.P.No.7361 of 2015

WEB COPY

1 IYYAPPAN
2 MUTHU
3 SABARIRAJA

... PETITIONERS/ACCUSED NO.4 TO 6

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
THIRUKURUGUDI POLICE STATION
TIRUNELVELI DISTRICT.
CR. NO. 45/2015.

... RESPONDENT/COMPLAINANT

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the II-Additional District and Session Judge, Tirunelveli (PCR Act Cases) to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Cr. No. 45/2015 on the file of the respondent.

For Petitioner : Mr.M.Subash Babu
For Respondents : Mr.K.Anbarsan
Government Advocate, (Crl. Side)

ORDER

The petitioners seek a direction to the II-Additional District and Session Judge (PCR Act Cases), Tirunelveli, to release the petitioners on bail, on the same day in the event of their surrender and filing bail application in Cr.No.45 of 2015 pending investigation on the file of the respondent police.

2. The petitioners are accused for offences punishable under Sections 147,294(b), 323, 324, 506(i) of IPC r/w section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The submissions made by Mr.M.Subash Babu, learned counsel for the petitioners and by Mr.K.Anbarasan, learned Government Advocate (Crl. Side), were heard. The materials available on record were also perused.



4. Considering the nature of offences alleged against the petitioners, the fact that anticipatory bail cannot be granted in respect of offences punishable under the the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,1989, and that taking into custody of the petitioners pending consideration of their bail application could cause them irreparable hardship, this Court considers it appropriate to direct the II-Additional District and Session Judge (PCR Act Cases), Tirunelveli, to consider the bail application of the petitioners on merits and pass appropriate order on the same day of their surrender.

5.The petition is ordered accordingly.

Sd/-

Assistant Registrar(Per.Admn.)

/TRUE COPY/

Sub Assistant Registrar

To

1. THE II-ADDITIONAL DISTRICT AND SESSION JUDGE,
(PCR ACT CASES),TIRUNELVELI.

2.THE INSPECTOR OF POLICE
THIRUKURUGUDI POLICE STATION
TIRUNELVELI DISTRICT.

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

+1cc to Mr.M.Subash Babu, Advocate, SR.No.20992

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21.04.2015

pjl/vsn
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