



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.04.2015
CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WEB COPY

CRL.O.P (MD) No.8271 of 2015

K.Birla

... Petitioner/Accused No.1

Vs.

State rep. By,
The Sub-Inspector of Police,
Thallakulam Police Station,
Madurai. (Crime No.527 of 2015)

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1908 praying to direct III-Additional District and Sessions Judge (PCR Unit), Madurai to consider the bail application of the petitioner on the same day of his surrender in Crime No.527 of 2015 on the file of the respondent Police.

For Petitioner	: Mr.G.Kasinatha Durai
For Respondent	: Mr.K.Anbarasan
	Government Advocate (Crl. Side)

ORDER

The petitioner seeks a direction to the learned III-Additional District and Sessions Judge (PCR Unit), Madurai to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Crime No.527 of 2015 pending investigation on the file of the respondent police.

2. The petitioner is accused for offences punishable under Sections 147, 148, 294(b), 506(ii) of the Indian Penal Code read with Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Amendment Ordinance) Act, 2014.

3. The submissions made by Mr.G.Kasinatha Durai, 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 (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 learned III-Additional District and Sessions Judge (PCR Unit), Madurai, to consider the bail application of the petitioner on merits and pass appropriate order on the same day of his surrender.



5. This Criminal Original Petition is ordered accordingly.

Sd/-
Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The III Additional District & Sessions Judge,
(PCR Unit), Madurai.
2. The Sub-Inspector of Police,
Thallakulam Police Station, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Ps

SR/SJW : 07.05.2015 : 2p/4c

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