



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

CRL.O.P(MD)No.8330 of 2015

Nandhagopal

... Petitioner/Accused No.1

Vs.

The State rep. By,
The Sub-Inspector of Police,
Veerapandi Police Station,
Theni District.
(In Crime No.69 of 2015)

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1908 praying to direct Principal District and Sessions Judge (PCR), Theni to consider the bail application of the petitioner on the same day of his surrender in Crime No.69 of 2015 on the file of the respondent Police and pass such further or other orders.

For Petitioner : Mr.N.Satheesh Kumar

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

ORDER

The petitioner seeks a direction to the learned Principal District and Sessions Judge (PCR), Theni to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Crime No.69 of 2015 pending investigation on the file of the respondent police.

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

3. The submissions made by Mr.N.Satheesh Kumar, 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 (POA) 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 Principal District and Sessions Judge (PCR), Theni, 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

/TRUE COPY/

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge, PCR,
Theni.

2.The Sub-Inspector of Police,
Veerapandi Police Station,
Theni District.

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

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