



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.8408 of 2015

1.Siva Sankara Subbu
2.Mariappan
3.Renganathan
4.Mariammal
5.Prema

... Petitioners/Accused Nos.1 to 5

Vs.

The State rep. By,
The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District. (In Crime No.330 of 2015)
... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1908 praying to direct the learned Second Additional District Judge cum PCR Court, Tirunelveli to consider the bail application of the petitioners on the same day of his surrender in accordance with law in Crime No.330 of 2015 on the file of the respondent Police and pass such further or other orders.

For Petitioners : Mr.C.K.M.Appaji
For Respondent : Mr.K.Anbarasan
Government Advocate (Crl. Side)

ORDER

The petitioners seek a direction to the learned Second Additional District Judge cum PCR Court, Tirunelveli to release the petitioners on bail, on the same day in the event of their surrender and filing bail application in Crime No.330 of 2015 pending investigation on the file of the respondent police.

2. The petitioners are accused for offences punishable under Sections 147, 323, 294(b), 355, 506(ii) and 427 of the Indian Penal Code and also under Section 4 of Tamil Nadu Woman Harrassment Act read with Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (POA) Act.

3. The submissions made by Mr.C.K.M.Appaji, learned counsel for the petitioners 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 petitioners, the fact that anticipatory bail cannot be granted in respect of offences punishable under the Scheduled Castes and Scheduled Tribes (POA) Act, 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 learned Second Additional District Judge cum PCR Court, Tirunelveli, to consider the bail application of the petitioners on merits and pass appropriate order on the same day of their surrender.

5. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

ps

To

1.The II Additional District Judge cum PCR Court, Tirunelveli.

2.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.

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

+1cc to MR.C.K.M.APPAJI,ADVOCATE IN SR NO. 23326

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