



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 6.5.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CRL.O.P.No.8946 of 2015

1.Karupasamy

2.Thavamani

... Petitioners/A1 & A2

Vs.

State represented by
Inspector of Police,
Thirupuvanam Police Station,
Sivagangai District.
Crime No.178 of 2015.

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned District Sessions Judge (PCR), Sivagangai to accept the surrender of the petitioners and consider the bail application on Mertis the date of surrender in Crime NO.178 of 2015 on the file of the respondent police.

For Petitioners : Mr.R.G.Shankar Ganesh

For Respondent : Mr.A.P.Balasubramani
Government Advocate, (Crl. Side)

O R D E R

The petitioners seek a direction to the learned District Sessions Judge (PCR), Sivagangai, to release the petitioners on bail, on the same day in the event of their surrender and filing bail application in Crime No.178 of 2015 pending investigation on the file of the respondent police.

2.The petitioners are accused for offences punishable under Sections 294(b), 506(ii) IPC r/w Section 3(1)(r)(s) of SC/ST (POA) Amendment Ordinance Act, 2015.

3.The submissions made by Mr.R.G.Shankar Ganesh, learned counsel for the petitioners and by Mr.A.P.Balasubramani, 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 SC/ST (POA) Amendment Ordinance Act, 2015, and that taking into custody of the petitioners pending consideration of his bail application could cause them irreparable hardship, this Court considers it appropriate to direct the learned District Sessions Judge (PCR), Sivagangai, 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/-
Vacation officer

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/True copy/

Sub Assistant Registrar(C.S)

To

- 1.The District Sessions Judge (PCR), Sivagangai.
- 2.The Inspector of Police,Thirupuvanam Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1cc to Mr.R.G.SHANKAR GANESH, Advocate, in SR. No. 25109

TS/08.05.2015/2P-5C

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