



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 6.5.2015

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CRL.O.P.No.8977 of 2015

1.Siva @ Sivakumar

2.Balamurugan ... Petitioners/A1 and A11

Vs.

The State through
Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No.717 of 2015. ...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Principal District and Sessions Judge (PCR Cases), Virudhunagar District at Srivilliputhur to consider the bail application of the petitioners on the same day of surrender on merits in accordance with law in respect of the in Crime NO.717 of 2014 on the file of the respondent police.

For Petitioners : Mr.S.J.Chakkaravarthy
For Respondent : Mr.A.P.Balasubramani
Government Advocate, (Crl. Side)

O R D E R

The petitioners seek a direction to the learned Principal District and Sessions Judge (PCR Cases), Virudhunagar District at Srivilliputhur, to release the petitioners on bail, on the same day in the event of

their surrender and filing bail application in Crime No.717 of 2014 pending investigation on the file of the respondent police.

2.The petitioners are accused for offences punishable under Sections 147, 148, 294(b), 323, 506(ii) IPC r/w Section 3(1)(r) (s) and 3(ii)(V)(a) of Scheduled and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014.

3.The submissions made by Mr.S.J.Chakkaravarthy, 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 Scheduled and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014, 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 Principal District and Sessions Judge (PCR Cases), Virudhunagar District at Srivilliputhur, 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/ Assistant Registrar (T & P)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge (PCR Cases),
Virudhunagar District at Srivilliputhur
2. The Inspector of Police, Sivakasi East Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. Eddy & Emboss Law Firm, Advocate Sr.No. 25110
ses
AA/08.05.2015/2p -5c/

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