

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2016

CORAM:

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

CRL.O.P.No.10704 of 2016

Perumal .. Petitioner /Accused
Vs.

State by Inspector of Police
Namakkal Police Staion,
Namakkal.
Crime No.89 of 2016 .. Respondent /Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Principal District and Sessions Judge, [Special Judge for SC/ST (Prevention of Atrocities) Act],1929 Namakkal to consider the bail application of the petitioner on merits herein in Crime No.89 of 2016 on the file of the Inspector of Police, Namakkal District Police Station, Namakkal on the same date of his surrender.

For Petitioner : Mr.C.Munusamy
For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

The petitioner seeks a direction to the learned Principal District and Sessions Judge, [Special Judge for SC/ST (Prevention of Atrocities) Act, 1989] Namakkal to release the petitioner on bail, on the same day in the event of his surrender and filing bail application in Cr.No.89 of 2016 pending investigation on the file of the respondent police.

2.The petitioner is accused for offences punishable under Sections 355 IPC r/w. Section 3(1)(x) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.The submissions made by Mr.C.Munusamy, learned counsel for the petitioner and by Mr.M.Maharaja, learned Additional Public Prosecutor 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 (Prevention of Atrocities) Act, 1989 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, [Special Judge for SC/ST (Prevention of Atrocities) Act, 1989] Namakkal to consider the bail application of the petitioner on merits and pass appropriate order on the same day of his surrender.

5.The petition is ordered accordingly.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

gm

To

1.The Principal District and Sessions Judge,
[Special Judge for SC/ST
(Prevention of Atrocities) Act, 1989]
Namakkal.

2.The Inspector of Police
Namakkal Police Staion,
Namakkal.

3.The Public Prosecutor,
High Court of Madras, Chennai.

+1 cc to Mr.C.Munusamy Advocate sr.28236

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