

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 07.06.2019****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****Crl.O.P. (MD)No.7744 of 2019****WEB COPY**

1.Rajivkumar
2.Vijayakumar

... Petitioners/Accused Nos.2 and 3
Vs.

1.The State rep. by its
The Inspector of Police,
Veerapandi Police Station,
Theni District.
(in Crime No.198/2019)

2.The Deputy Superintendent of Police,
Theni, Theni District. ...Respondents/Complainants

3.Sivaprakash ... Respondents/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Principal District and Session Court (PCR Court), Theni to consider the bail application on the same day on merits which would be filed by the petitioners in Crime No.198 of 2019, on the file of the respondent police.

For Petitioners : Mr.M.A.M.Raja
For Respondents : Mr.K.Suyambulinga Bharathi
Govt. Advocate (Crl. Side) for R1 & R2

O R D E R

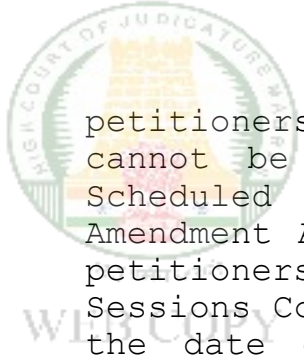
The learned Government Advocate (Crl. Side) appearing for the first and second respondents submitted that the petitioners are not having any bad antecedents.

2.The petitioners seek for a direction to the learned Principal District Sessions Court (PCR Court), Theni, to accept their surrender and consider their bail application on the same day on merits relating to Crime No.198 of 2019 on the file of the first respondent police.

3.The petitioners are the second and third accused for the offences punishable under Sections 147, 148, 294(b) 323, 324 and of I.P.C. and Section 3 (1) (r), 3 (1) (s), 3 (2) (va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.198 of 2019, pending on the file of the first respondent police and apprehending arrest, they have filed the present petition.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Considering the nature of offences alleged against the



petitioners and also considering the fact that anticipatory bail cannot be granted in respect of offences punishable under the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners to surrender before the learned Principal District Sessions Court (PCR Court), Theni, within a period of two weeks from the date of receipt of a copy of this order and file a bail application and on filing such bail application, the learned Judge is directed to consider the bail application of the petitioners on merits and pass appropriate orders on the same day of their surrender.

5.It is further submitted by the counsel on either side that that the name of the father of the second petitioner herein has been wrongly mentioned as Kalliyappan and his correct name is Thangaraj. This submission is placed on record.

6.This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To:

1.The Principal District and Session Judge (PCR Court),
Theni.

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

3.The Deputy Superintendent of Police,
Theni, Theni District.

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

+1cc to Mr.M.A.M.RAJA, Advocate, SR.No. 67719

Cr1.O.P. (MD)No.7744 of 2019
07.06.2019

IAS

KK/SAR/17.06.2019/2P-6C