



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P.(MD).No.7788 of 2019

WEB COPY

Rajkumar

: Petitioner

Vs.

1. State represented by
the Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.

2. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(Crime No.61 of 2019)

3. Poodurai

: Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the Special Judge for SC/ST (Prevention of Atrocities) Act, Additional District Judge No.II, Tirunelveli to consider the bail application of the petitioner on the same of his surrender in Crime No.61 of 2019 on the file of the respondent police.

For Petitioner : Mr.V.Maharajan

For Respondents 1 & 2 : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

ORDER

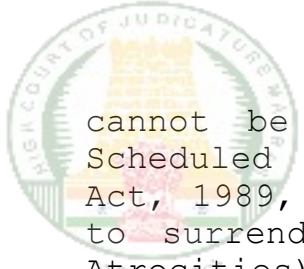
The petitioner seeks for a direction to the Special Judge for SC/ST (Prevention of Atrocities) Act, Additional District Judge No.II, Tirunelveli to consider the bail application of the above said petitioner / accused on his surrender on the same day on merits.

2. The petitioner is the accused for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) of I.P.C., r/w. 3(1) (r) 3(1) (s), 3(2) (va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.61 of 2019, pending on the file of the respondent police and apprehending arrest, he has filed the present petition.

3. The learned Additional Public Prosecutor on instructions would submit that the petitioner is having three previous cases.

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4. Considering the nature of offences alleged against the petitioner 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) Act, 1989, this Court feels it appropriate to direct the petitioner to surrender before the Special Judge for SC/ST (Prevention of Atrocities) Act, Additional District Judge No.II, Tirunelveli 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 petitioner on merits and also consider the antecedent of the petitioner and pass appropriate orders on the same day of his surrender. The petitioner is directed to comply with the provision under Section 15(A)(5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. The Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Special Judge for SC/ST
(Prevention of Atrocities) Act,
Additional District Judge No.II, Tirunelveli.
2. The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.
3. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(Crime No.61 of 2019)
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to MR.V.MAHARAJAN, Advocate (SR-69104[F] dated 17/06/2019)

Order made in

CRL.O.P. (MD) .No.7788 of 2019

Dated:**17.06.2019**

AKV

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MK (28.06.2019) 2P 6C