

**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. 7854 of 2019**

WEB COPY

1. Raja
2. Kalipandi
3. Selvam

... Petitioners/Accused Nos. 2 to 4
Vs.

1. The Superintendent of Police,
Virudhunagar District. ... Respondent/Respondent

2. The Inspector of Police,
Malli Police Station,
Virudhunagar District. ... Respondent/Complainant

3. Pandeeshwaran ... Respondent/Defacto
Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Principal District and Session (PCR) Court, Srivilliputhur, Virudhunagar District to receive the bail application and surrender petition in Crime No.70 of 2019 on the petitioners /accused on the date of filing and consequently direct the District and Sessions (PCR) Court, Srivilliputhur, Virudhunagar District to fix the specific date for hearing respondents the bail petition on such date or dates simultaneously on merits and in accordance with law.

For Petitioners : Mr.T.Thangamani
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), Srivilliputhur, Virudhunagar District, to accept their surrender and consider their bail application on the same day on merits relating to Crime No.70 of 2019 on the file of the second respondent police.

3. The petitioners are the second, third and fourth accused for the offences punishable under Sections 294(b), 341, 324 and 506 (iii) of I.P.C. and Section 3 (1) (x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.70 of 2019, pending on the file of the second respondent



police and apprehending arrest, they have filed the present petition.

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), Srivilliputhur, Virudhunagar District, 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. This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS I)

To:

1. The Principal District and Session Court (PCR Court),
Srivilliputhur, Virudhunagar District.

2. The Superintendent of Police,
Thiruchuli, Virudhunagar District.

3. The Inspector of Police,
Malli Police Station, Virudhunagar District

+1 CC to M/s. N. BALASUBRAMANIAN, Advocate (SR-67721[F] dated
10/06/2019)

Cr1.O.P. (MD) No. 7854 of 2019
07.06.2019

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KK/SAR/17.06.2019/2P-5C