



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD).No.8329 of 2019

1.Chinnamarudhan

2.Karupiah

: Petitioners

Vs.

1.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.

2.The State represented by
the Sub Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
Crime No.230 of 2018.

3.Mr.Ramar

: Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the Principal Sessions Court, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act Cases) to consider the bail application of the petitioners in the case in Crime No.230 of 2018 on the file of the second respondent on the same date of surrender and dispose the same on its merits in accordance with law.

For Petitioners : Mr.M.Jothibas

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

Additional Public Prosecutor

ORDER

The petitioners seek for a direction to the learned Principal Sessions Court, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act Cases), to consider the bail application of the above said petitioners / accused on their surrender on the same day on merits.

2. The petitioners are the accused for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) of I.P.C., r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.230 of 2018, pending on the file of the respondent police and apprehending arrest, they have filed the present petition.

3. Heard the learned counsel appearing on either side and

perused the materials available on record.



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) Act, 1989, this Court feels it appropriate to direct the petitioners to surrender before the Principal Sessions Court, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act Cases), 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. The petitioners are 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 (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal Sessions Judge, (Spl.PCR Court)
Virudhunagar District
Srivilliputhur.

2.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.

3.The Sub Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

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

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-69297[F] dated
18/06/2019)
akv

Order made in
CRL.O.P. (MD) .No.8329 of 2019
17.06.2019