



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.8637 of 2019

1.Sithanathan

2.Siva

3.Vijaya Ochammal

4.Bama

5.Meena

6.Valavanthal

7.Pathma

8.Selvi

9.Periya Ochan

10.Muthusamy

11.Raju

12.Rajagopalan

13.Ayyavu

14.Veeran

: Petitioners

Vs.

State rep.by

1.The Deputy Superintendent of Police,
Peraiyur, Madurai District.

2.The Inspector of Police,
Nagaiahpuram Police Station,
Madurai District. (Crime No.31 of 2019)

3.Murugan

4.Arumugan

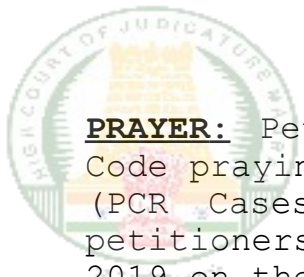
5.Muniyandi

6.Mani

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

7.Karuppasamy

: Respondents



PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the 3rd Additional District and Sessions Judge (PCR Cases), Madurai to consider the bail application of the petitioners on the same day of their surrender in Crime No.31 of 2019 on the file of the respondent police.

For Petitioners : Mr.M.Ramu
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

The petitioners seek for a direction to the learned 3rd Additional District and Sessions Judge (PCR Cases), Madurai, to consider their bail application to be filed in Crime No.31 of 2019 on the file of the respondent police and to accept their surrender on the same day on merits.

2. The petitioners are the accused for the offences punishable under Sections 120(b), 147, 148, 294(b), 323, 324, 307 IPC and Section 3 of TNPPDL Act r/w Sections 3(1)(r), 3(i)(s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989, in Crime No.31 of 2019, pending on the file of the second 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 the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners to surrender before the learned 3rd Additional District and Sessions Judge (PCR Cases), Madurai, 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 provisions under Section 15-A(5) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. The Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-III)

/ True Copy /



To

1.The 3rd Additional District and Sessions Judge (PCR Cases),
Madurai

2.The Deputy Superintendent of Police,
Peraiyur, Madurai District.

3.The Inspector of Police,
Nagaiahpuram Police Station,
Madurai District.

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

+3 CC to M/s.M.RAMU, Advocate (SR-72098[F] dated 28/06/2019)

CRL.O.P. (MD) .No.8637 of 2019
28.06.2019

ES/11.07.2019/3P/8C