



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.06.2019
CORAM
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.9059 of 2019

1.Kalavathi

2.S.Arumugam : Petitioners/Accused Nos. 1 & 4
Vs.

1.The Deputy Superintendent of Police,
Thalaiyuthu, Thirunelveli District.

2.The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
Crime No.235 of 2019

: Respondents/Complainants

3.Muthumari : Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned II Additional District and Sessions Judge,- Tirunelveli (PCR Act Cases), to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.235 of 2019 on the file of the second respondent.

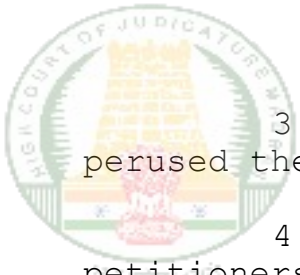
For Petitioner : Mr.C.Susi Kumar

For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl, side)

ORDER

The petitioners seek for a direction to the learned II Additional District and Sessions Judge, Tirunelveli (PCR Act Cases), to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.235 of 2019, on the file of the second respondent.

2. The petitioners are the accused Nos.1 and 4 for the offences punishable under Sections 294(b) and 506(i) of the Indian Penal Code and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act and Section 3 (i) (r) and 3(i) (s) of SC / ST (Prevention of Atrocities) Amendment Act, 2015, in Crime No.235 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 Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners to surrender before the learned II Additional District and Sessions Judge, Tirunelveli (PCR 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 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 (CO)

/ True Copy /

Sub Assistant Registrar (CS-)

tsg

To

1. The II Additional District and Sessions Judge
Tirunelveli, (PCR Act cases).

2. The Deputy Superintendent of Police,
Thalaiyuthu, Thirunelveli District.

3. The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.

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

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-72298[F] dated 28/06/2019)

Order made in
CRL.O.P. (MD) .No.9059 of 2019

Dated: **27.06.2019**