



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.9207 of 2019

WEB COPY

1.S.Anbalagan @ Anbu

2.S.Dinesh

3.A.Karthick : Petitioners/Accused Nos. 1 to 3
Vs.

1.The Deputy Superintendent of Police,
Ambasamudram Range,
Aalangulam (incharge),
Tirunelveli District.

2.The Sub Inspector of Police,
Surandai Police Station,
Tirunelveli District. : Respondents/Complainants
(Crime No.225 of 2019)

3.D.Dinesh : Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned 2nd Additional District and Sessions Judge (PCR Cases) under SC/ST Act, Tirunelveli to accept the surrender of the petitioners and consider their bail application on the same day in Crime No.225 of 2019 on the file of the respondent Police.

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

ORDER

The petitioners seek for a direction to the learned 2nd Additional District and Sessions Judge (PCR Cases) under SC/ST Act, Tirunelveli, to accept the surrender of the petitioners and consider their bail application on the same day in Crime No.225 of 2019 on the file of the respondent Police.

2. The petitioners are the accused for the offences punishable under Sections 294 (b), 323 and 506(ii) of the Indian Penal Code r/w Sections 3 (1) (r) (s) of SC / ST (Prevention of Atrocities) Amendment Act, 2015 and Section 3 (2) (va) of SC / ST (POA) Amendment Act, 2015 in Crime No.225 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 2nd Additional District and Sessions Judge (PCR Cases) under SC / ST Act, 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 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 2nd Additional District and Sessions Judge (PCR Cases),
Tirunelveli.

2. The Deputy Superintendent of Police,
Ambasamudram Range, Aalangulam (incharge),
Tirunelveli District.

3. The Sub Inspector of Police,
Surandai Police Station, Tirunelveli District.

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

+1 CC to M/s.V.M.JEGADEESHA PANDIAN, Advocate
(SR-72505[F] dated 01/07/2019)

Order made in

CRL.O.P. (MD) .No.9207 of 2019

Dated: **01.07.2019**