



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2019

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WEB COPY

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN
CRL.O.P. (MD) .No.9262 of 2019

Sankar @ Shankar Ganesh : Petitioner
Vs.

1. The State Represented by its
The Assistant Commissioner of Police,
Thirupparamkundram, Madurai City.

2. The State represented by its
the Inspector of Police,
Avaniyapuram Police Station,
Madurai City.
(Crime No.604 of 2019)

3. Vasanth : Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned 3rd Additional District and Sessions Court (PCR Court), Madurai, to consider the bail application of the petitioner on the very same day of his surrender in connection with the F.I.R. in Crime No.604 of 2019, on the file of the second respondent Police and to release the petitioner on bail on the very same day itself.

For Petitioner : Mr.M.Karthick Pandian
For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

ORDER

The petitioner seeks for a direction to the learned 3rd Additional District and Sessions Court (PCR Court), Madurai, to consider the bail application of the petitioner on the very same day of his surrender in connection with the F.I.R. in Crime No.604 of 2019, on the file of the second respondent Police and to release the petitioner on bail on the very same day itself.

2. The petitioner is the second accused for the offences punishable under Sections 147, 148, 323, 324, 342 and 506 (ii) of the Indian Penal Code and Sections 3(2)(Va) of SC / ST (Prevention of Atrocities) Amendment Act, 2015, in Crime No.604 of 2019, pending on the file of the second respondent police and apprehending arrest, he has 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 petitioner 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 petitioner to surrender before the learned 3rd Additional District and Sessions Court (PCR Court), 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 petitioner on merits and pass appropriate orders on the same day of his surrender. The petitioner is 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)

To

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

2. The Assistant Commissioner of Police,
Thirupparamkundram, Madurai City.

3. The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-72799[F] dated
02/07/2019)

tsg