



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD).No.9314 of 2019

Karikalan : Petitioner

Vs.

State represented by

1.The Deputy Superintendent of Police,
Periyakulam,
Theni District.

2.The Inspector of Police,
Periyakulam Police Station,
Theni District.
(Crime No.166 of 2019).

3.Shanmugam @ Shanmuganathan : Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned Principal District and Sessions Judge (PCR Cases), Theni, to consider the bail application of the petitioner to be filed in Crime No.166 of 2019 on the file of the second respondent police and to accept his surrender on the same day on merits.

For Petitioner : Mr.R.Shankar Ganesh

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

ORDER

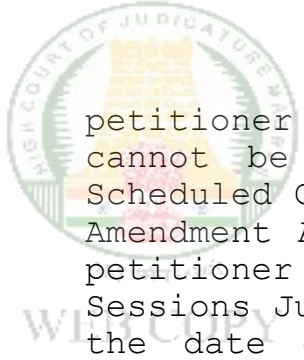
The petitioner seeks for a direction to the learned Principal District and Sessions Judge (PCR Cases), Theni, to consider his bail application to be filed in Crime No.166 of 2019 on the file of the second respondent police and to accept his surrender on the same day on merits.

2. The petitioner is the third accused for the offences punishable under Sections 341, 294(b), 323, 427, 506(i) of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.166 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.

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

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 the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioner to surrender before the learned Principal District and Sessions Judge (PCR Cases), Theni, 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 (CS III)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal District and Sessions Judge (PCR Cases),
Theni.

2.The Deputy Superintendent of Police,
Periyakulam,
Theni District.

3.The Inspector of Police,
Periyakulam Police Station,
Theni District.

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

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-73280[F] dated
04/07/2019)

CRL.O.P. (MD) .No.9314 of 2019

03.07.2019

SML

KK/SAR/09.07.2019/2P-6C

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