



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P.(MD).No.9426 of 2019

1.A.Mahalingam

2.Subbulakshmi

: Petitioners/Accused 1 & 2

Vs.

1.The State represented by its

The Deputy Superintendent of Police,
Seranmahadevi,
Tirunelveli District.

2.The Sub Inspector of Police,

Mukkudal Police Station,
Tirunelveli District.

(In Crime No.142 of 2019)

:Respondents/Complainants

3.Baratha Mani

:3rd Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned Additional Sessions Judge (PCR), Tirunelveli to accept the surrender of the petitioners and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.142 of 2019 on the file of the respondent police.

For Petitioners : Mr.A.P.Muthupandian

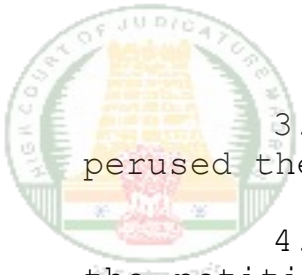
For R1 & R2 : Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.Side)

ORDER

The petitioners seek for a direction to the learned Additional Sessions Judge (PCR), Tirunelveli, to consider their bail application to be filed in Crime No.142 of 2019 on the file of the second 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 341, 294(b), 352, 506(i) IPC r/w Section 4 of TNPWH Act 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, in Crime No.142 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 Additional Sessions Judge (PCR), 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 (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Additional Sessions Judge (PCR), Tirunelveli

2.The Deputy Superintendent of Police,
Seranmahadevi, Tirunelveli District.

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

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

+1cc to M/S.A.P.Muthupandian, Advocate in SR.733741

Order made in

CRL.O.P. (MD) .No.9426 of 2019

Dated:

04.07.2019

PBK(16.07.2019) 2P 6C