



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P. (MD) .No.9164 of 2019

Varatharajan @ Varatharaj : Petitioner/Accused No.2
Vs.

1.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Sankar Nagar, Thalaiyuthu,
Tirunelveli District.

2.State through the Inspector of Police,
Thalaiyuthu, Tirunelveli District.

3.Muthumari : Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned II Additional Principal Sessions Judge (PCR), Tirunelveli, to consider the bail application of the petitioner on the same day in Crime No.235 of 2019, on the file of the second respondent.

For Petitioner : Mr.S.M.A.Jinnah
For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

ORDER

The petitioner seeks for a direction to the learned II Additional Principal Sessions Judge (PCR), Tirunelveli, to consider the bail application of the petitioner on the same day in Crime No.235 of 2019, on the file of the second respondent.

2. The petitioner is the second accused for the offences punishable under Sections 294 (b) and 506 (i) of the Indian Penal Code and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 and Sections 3 (1) (r) and 3(1) (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, he has filed the present petition.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

<https://hcservices.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 Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioner to surrender before the learned II Additional Principal 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 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)

tsg

To

- 1.The II Additional Principal Sessions Judge
(PCR), Tirunelveli.
- 2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Sankar Nagar, Thalaiyuthu,
Tirunelveli District.
- 3.The Inspector of Police,
Thalaiyuthu, Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.S.M.A.JINNAH, Advocate Sr. No. 72521

Order made in

CRL.O.P. (MD) .No.9164 of 2019

Dated: **01.07.2019**

KM(CO)

TR (08.07.2019) 2P 6C