



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2019

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THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

CRL.O.P. (MD).No.9671 of 2019

S.Subramani

: Petitioner/Accused No.9

Vs.

1.The Assistant Superintendent of Police
Office of the Assistant Superintendent of Police
Madurai District
Madurai

2.The Inspector of Police
Appanthirupathy Police Station
Madurai District
(Crime No.36 of 2016)

: Respondents/Complainants

3.S.Rajkumar

: Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned III Additional Sessions Judge (P.C.R Court), Madurai to consider the bail application filed by the petitioner and pass order in the bail application filed by the petitioner on the same date of his surrender in Crime No.36 of 2016 on the file of the second respondent in accordance with law.

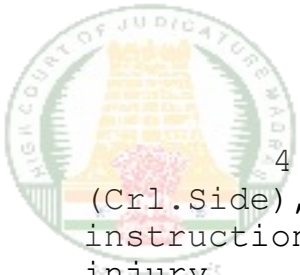
For Petitioners : Mr.C.Bharathiraja
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

The petitioner seeks for a direction to the III Additional Sessions Judge (P.C.R Court), Madurai, to consider his bail application to be filed in Crime No.36 of 2016 on the file of the second respondent police and to accept his surrender on the same day on merits.

2. The petitioner is the accused for the offences punishable under Sections 147, 352, 323, 354, 427 I.P.C and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 3(2) (Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, in Crime No.36 of 2016, pending on the file of the second respondent police and apprehending arrest, he has filed the present petition.

3. Heard the learned counsel for the petitioner.



4. Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl.Side), appearing for the first and second respondents, on instruction, would submit that the injured has suffered simple injury.

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5. 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 petitioner to surrender before the learned III Additional Sessions Judge (P.C.R 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.

6. The Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The III Additional Sessions Judge (P.C.R Court), Madurai,
- 2.The Assistant Superintendent of Police
Office of the Assistant Superintendent of Police
Madurai District , Madurai
- 3.The Inspector of Police
Appanthirupathy Police Station,
Madurai District
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court , Madurai

Order made in
CRL.O.P.(MD).No.9671 of 2019
Dated:09.07.2019

RL/17.07.2019/2P/5C