



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.9945 of 2019

WEB COPY

1.Madasamy

2.K.Kalaimurugan

: Petitioners/Accused No.1&4

Vs.

State represented by

1. The Assistant Commissioner of Police
Avaniyapuram Police Station
Madurai District

2. The Inspector of Police
Avaniyapuram Police Station
Madurai District
(Crime No.604 of 2019)

: Respondents/Complainants

3.Vasanth

: Respondent / Defecto
Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the III Additional Sessions Judge (PCR Court), Madurai to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.604 of 2019 on the file of the 2nd respondent police.

For Petitioners : Mr.M.Chandrabose

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

ORDER

The petitioners seek for a direction to the learned III Additional Sessions Judge (PCR Court), Madurai, to consider their bail application to be filed in Crime No.604 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 147, 148, 323, 342, 324 and 506(ii) I.P.C and Section 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No. 604 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 III Additional Sessions Judge (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 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 (AE)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The III Additional Sessions Judge (PCR Court),
Madurai,
2. The Assistant Commissioner of Police
Avaniyapuram Police Station
Madurai District
3. The Inspector of Police
Avaniyapuram Police Station
Madurai District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

+2 CC to Mr.M.CHANDRA BOSE, Advocate (SR-76600[F] dated
22/07/2019)

Order made in
CRL.O.P. (MD) .No.9945 of 2019
18.07.2019

MSA