



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.9824 of 2019

J.Sarathkumar : Petitioner/Sole Accused
Vs.

1.State represented by
The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.
(Crime No.164 of 2019).

2.The Inspector of Police,
Austinpatti Police Station,
Madurai District.
In Cr.No.164 of 2019.

: Respondents/Complainants

3.P.Subramanian : Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the learned Third Additional Sessions Judge (PCR Court), Madurai, to consider the bail application on the same day of surrender in Crime No.164 of 2019 on the file of the Deputy Superintendent of Police, Thirumangalam, Madurai District and the second respondent for alleged offences under Sections 341, 294(b), 323, 506(1) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 3(1)(r) and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 3(1)(s).

For Petitioner : Mr.M.Gururaj
For Respondents 1 & 2 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

ORDER

The petitioner seeks for a direction to the learned Third Additional Sessions Judge (PCR Court), Madurai, to consider the bail application on the same day of surrender in Crime No.164 of 2019.

2. The petitioner is the sole accused for the offences punishable under Sections 341, 294(b), 323, 506(1) of the Indian Penal Code, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r) and 3(1)(s) of the Scheduled



Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.164 of 2019, pending on the file of the respondent police and apprehending arrest, he has filed the present petition.

3. The learned Additional Public Prosecutor appearing for the first and second respondents submitted that the injured has been discharged from the hospital.

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

5. 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 Third 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 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 Third Additional Sessions Judge (PCR Court), Madurai.
 - 2.The Deputy Superintendent of Police,
Thirumangalam, Madurai District.
 - 3.The Inspector of Police, Austinpatti Police Station,
Madurai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +One cc to Mr.M.Gururaj, Advocate, SR.No.74952

Order made in

CRL.O.P. (MD) .No.9824 of 2019

Dated:12.07.2019