



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.10361 of 2019

WEB COPY

- 1.S.Gandhimathi
- 2.Rajprabhu
- 3.Senthil
- 4.Karthick
- 5.Pothumponnu

: Petitioners/Accused Nos.1 to 5

Vs.

1.The Deputy Superintendent of Police,
Melur, Madurai District.

2.The State represented by
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.403/2019)

3.Prasanna Perumal, S/o.Somasundaram, No46, Venkatesh Nagar,
Nondikovilpatty, Melur, Madruai District.

:3rd Respondent/Defacto Complainant

3.Sabari Devi

:4th Respondent/Victim

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned III Additional Principal District and Sessions Judge, (PCR Court), Madurai to consider the bail application of the petitioners / accused to be filed in Cr.No.403 of 2019 on the file of the second respondent police and to accept his surrender on the same day on merits.

For Petitioners

: Mr.T.Sathishkumar

For R1 & R2

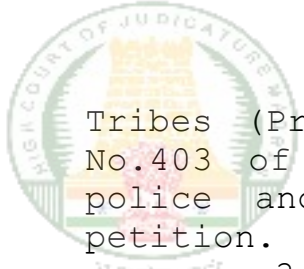
: Mr.K.K.Ramakrishnan

Additional Public Prosecutor

ORDER

The petitioners seek for a direction to the III Additional Principal District and Sessions Judge, (PCR Court), Madurai, to consider their bail application to be filed in Crime No.403 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, 341, 294(b), 323, 342, 379, 471, 506(1), Section 4 of Prohibition of Harassment of Women Act, 2002 and Section 3(2)(va) of the Scheduled Castes and the Scheduled



Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.403 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 III Additional Principal District and 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 (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The III Additional Principal District and Sessions Judge,
(PCR Court), Madurai

2.The Deputy Superintendent of Police,Melur, Madurai District.

3.The Inspector of Police, Melur Police Station, Madurai District.

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

+1 CC to Mr.T.SATHISH KUMAR, Advocate SR-78501.

Order made in

CRL.O.P. (MD) .No.10361 of 2019

Dated:

29.07.2019