



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.9830 of 2019

1.Eujinraj
2.Peter
3.Suresh
4.Venkateshan @ Andi : Petitioners/Accused Nos.1 to 4

Vs.

1.The Deputy Superintendent of Police,
Thiruvaiyaru,
Thanjavur District. : 1st Respondent/Investigation Officer

2.The State,
Represented by Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Cr.No.23 of 2019). : 2nd Respondent/Complainant

3.M.Naveen Prakash : 3rd Respondent/Defacto Complainant

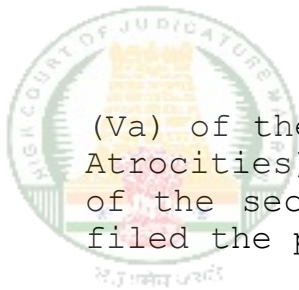
PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the learned Sessions Judge, Thanjavur (PCR Court) to dispose the bail application filed by the petitioners on merits on the same day of their surrender before the above mentioned concerned Court in pending investigation of Crime No.23 of 2019 on the file of the second respondent police.

For Petitioners : Mr.K.Mahendran
For Respondents 1 & 2 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

ORDER

The petitioners seek for a direction to the learned Sessions Judge, Thanjavur (PCR Court) to dispose the bail application filed by them on merits on the same day of their surrender before the above mentioned concerned Court in pending investigation of Crime No.23 of 2019 on the file of the second respondent police.

2. The petitioners are the accused Nos.1 to 4 for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of the Indian Penal Code r/w Sections 3(1)(r)(s) and 3(2)



(Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, in Crime No.23 of 2019, pending on the file of the second respondent police and apprehending arrest, they have 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 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) Act, 1989, this Court feels it appropriate to direct the petitioners to surrender before the learned Sessions Judge, Thanjavur (PCR Court), 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.

6. The Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Sessions Judge, Thanjavur (PCR Court).
 - 2.The Deputy Superintendent of Police,
Thiruvaiyaru, Thanjavur District.
 - 3.The Inspector of Police,
Thiruvaiyaru Police Station, Thanjavur District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +One cc to Mr.K.Mahendran, Advocate, SR.No.74918

Order made in
CRL.O.P. (MD) .No.9830 of 2019
Dated : 12.07.2019