



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.10005 of 2019

1.P.Seenivasan

2.K.Murugan @ Balamurugan

3.Chelladurai

4.Subbiah

5.Suresh @ Sudalaikannu : Petitioners/Accused Nos. 1 to 5

Vs.

1.The Deputy Superintendant of Police,
Thaliyuthu, Tirunelveli District.

2.The Inspector of Police,
Sivanthipatti Police Station,
Tirunelveli District.
(In Crime No.123/2019) : Respondents/Complainants

3.ICourt Raja

4.S.Seenivasan : 3rd and 4th Respondents/
1st and 2nd Defacto Complainants

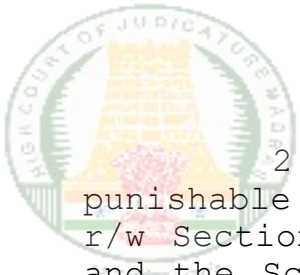
PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the District Sessions Court cum PCR Court, Thoothukudi to consider the surrender and Bail application filed by the petitioners in Crime No.123 of 2019 dated 23.06.2019 pending on the file of the Sivanthipatti Police Station on the same day.

For Petitioners : Mr.R.Krishnan

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

ORDER

The petitioners seek for a direction to the District Sessions Court cum PCR Court, Thoothukudi, to consider their bail application to be filed in Crime No.123 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, 341, 294(b), 323, 506(ii) IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.122 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 District Sessions Court cum PCR Court, Thoothukudi, 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 (CO)

/ True Copy /

Sub Assistant Registrar (CS-)

To

1. The District Sessions Court cum PCR Court,
Thoothukudi.

2. The Deputy Superintendant of Police,
Thaliyuthu,
Tirunelveli District.

3. The Inspector of Police,
<https://hcservices.ecourts.gov.in/hcservices/>
Sivanthipatti Police Station,
Tirunelveli District.



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

+1 CC to M/s.R.KRISHNAN, Advocate (SR-76093[F] dated 18/07/2019)

Order made in
CRL.O.P. (MD) .No.10005 of 2019

Dated: **16.07.2019**

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ES/23.07.2019/3P/6C