



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2019

CORAM

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P.(MD) .No.9913 of 2019

G.Esakkidhas : Petitioner/Accused No.3
Vs.
1.The Deputy Superintendent of Police
Nanguneri Circle
Tirunelveli District :1st Respondent
2.The State represented by
The Sub Inspector of Police
Eruvadi Police Station
Tirunelveli District
(Crime No.112/2019) :2nd Respondent/Complainant
3.M.Praveenkumar :3rd Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned Principal and District Sessions Judge (PCR Court), Tirunelveli District to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No.112 of 2019 on the file of the respondent.

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

ORDER

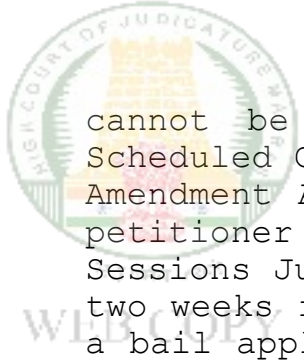
The petitioner seeks for a direction to the Principal and District Sessions Judge (PCR Court), Tirunelveli District, to consider his bail application to be filed in Crime No.112 of 2019 on the file of the second respondent police and to accept his surrender on the same day on merits.

2. The petitioner is the accused for the offences punishable under Sections 294(b), 342, 323, 506(i) I.P.C @ 3(1)(r), 3(1)(s), 3(2)(va) SC/ST (POA) Amendment and Ordinance Act, 2015, in Crime No.112 of 2019, pending on the file of the second respondent police and apprehending arrest, he has filed the present petition.

3. Heard the learned counsel appearing on either side.

<https://hcservices.ecourts.gov.in/hcservices/>

4. 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 Principal and District Sessions Judge (PCR Court), Tirunelveli District, 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.

5. The Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Principal and District Sessions Judge (PCR Court),
Tirunelveli District,

2.The Deputy Superintendent of Police
Nanguneri Circle
Tirunelveli District

3.The Sub Inspector of Police
Eruvadi Police Station
Tirunelveli District

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

+1cc to Mr. S.P.PRABAKARAN, Advocate, SR.No. 75157

Order made in
CRL.O.P. (MD) .No.9913 of 2019
15.07.2019

MSA

KK/SAR/19.07.2019/2P-6C