



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P. (MD) .No.10164 of 2019

1.Prabakaran
2.Amsalakshmi
3.Sakthivel

: Petitioners

Vs.

1.The Inspector of Police,
Thenkarai Police Station,
Theni District.
(In Crime No.249 of 2019)

2.The Deputy Superintendent of Police,
Periyakulam Circle, Theni District.

3.Surender

: Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the Principal District and Sessions Court, Theni, to consider the surrender and bail application filed by the petitioners in Crime No.249 of 2019.

For Petitioners : Mr.R.Gandhi

For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl, side)

ORDER

The petitioners seek for a direction to the learned Principal District and Sessions Court, Theni, to consider the surrender and bail application filed by the petitioners in Crime No.249 of 2019.

2. The petitioners are the accused for the offences punishable under Sections 147, 294 (b), 323, 324 and 506(i) of the Indian Penal Code and Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.249 of 2019, pending on the file of the first 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 Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners to surrender before the learned Principal District and Sessions Judge, Theni, 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 (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Principal District Sessions Judge,
Theni

2. The Deputy Superintendent of Police,
Periyakulam Circle, Theni District.

3. The Inspector of Police,
Thenkarai Police Station,
Theni District.

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

+1 CC to M/s.R.GANDHI, Advocate (SR-76800[F] dated 23/07/2019)

tsg

Order made in
CRL.O.P. (MD) .No.10164 of 2019
19.07.2019

KM/ (24.07.2019) 2P 6C