



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.10364 of 2019

WEB COPY

Mariadeva

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Tallakulam Sub-Division,
Madurai District.

2.The state rep. By the Inspector of Police,
Appanthiruppathi Women Police Station,
Madurai District.
(Cr.No.36/2016)

3.Rajkumar

4.Pushpa Shalini

: Respondents

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.36 of 2016 on the file of the respondent police.

For Petitioner

: Mr.M.Balamurugan

For R1 & R2

: Mr.K.K.Ramakrishnan

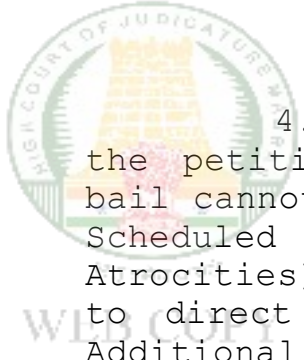
Additional Public Prosecutor

ORDER

The petitioner seeks for a direction to the learned III Additional District and Sessions Judge (PCR Court), Madurai, to consider his bail application to be filed in Crime No.36 of 2016 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 Section 147, 352, 323, 354, 427, Section 4 of Prohibition of Harassment of Women Act, 2002 and Section 3(2)(v) (a) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, in Crime No.36 of 2016, 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 and perused the materials available on record.



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 III Additional 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 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 ()

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The III Additional District and Sessions Court (PCR Court),
Madurai.
- 2.The Deputy Superintendent of Police,
Tallakulam Sub-Division,
Madurai District.
3. The Inspector of Police,
Appanthiruppathi Women Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.BALAMURUGAN, Advocate SR-78648.

Order made in

CRL.O.P. (MD) .No.10364 of 2019

Dated:

29.07.2019