



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2019

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P. (MD) .No.10155 of 2019

Thomas Prabakaran : Petitioner/Accused
Vs.

1.The Deputy Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.

3.Thangaraj : Respondents/Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned Principal District and Sessions Judge (PCR), Dindigul, to accept the surrender of the petitioner and consider the bail application to be filed by the petitioner on the same day on merits in Crime No.164 of 2019, on the file of the second respondent Police.

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

ORDER

The petitioner seeks for a direction to the learned Principal District and Sessions Judge (PCR), Dindigul, to accept the surrender of the petitioner and consider the bail application to be filed by the petitioner on the same day on merits in Crime No.164 of 2019, on the file of the second respondent Police.

2. The petitioner is the second accused for the offences punishable under Sections 294 (b), 147, 341, 323, 427 and 506 (i) of the Indian Penal Code and Section 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.164 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 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 Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioner to surrender before the learned Principal District and Sessions Judge (PCR), Dindigul, 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 District and Sessions Judge (PCR),
Dindigul

2. The Deputy Superintendent of Police,
Dindigul District, Dindigul.

3. The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.

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

tsg

Order made in

CRL.O.P. (MD) .No.10155 of 2019

19.07.2019