



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.10135 of 2019

WEB COPY

T.Markkandan

: Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police
Uthamapalayam
Theni District

2.State through the Inspector of Police
Uthamapalayam Police Station
Madurai District
(Crime No.403 of 2019)

: Respondent 1&2/Complainants

3.Shanthi

: Respondent No.3/Defacto
Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the Principal District and Sessions Judge (PCR Court), Theni to consider and pass orders on the bail application of the petitioner on the same day in Crime No.403 of 2019 pending on the file of the respondent police.

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

ORDER

The petitioner seeks for a direction to the Principal District and Sessions Judge (PCR Court), Theni, to consider his bail application to be filed in Crime No.403 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), 323, 506(ii), 376, 511 I.P.C r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 and Section 3(1)(r), 3(1)(s), 3(2)(va), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.403 of 2019, pending on the file of the second respondent police and apprehending arrest, he has filed the present petition.



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), Theni 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-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Principal and District Sessions Judge (PCR Court),
Theni District
2. The Deputy Superintendent of Police
Uthamapalayam
Theni District
3. The Inspector of Police
Uthamapalayam Police Station
Madurai District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

+1 CC to MR.R.RAMASAMY, Advocate (SR-75951[F] dated 18/07/2019)

Order made in
CRL.O.P. (MD) .No.10135 of 2019

Dated:18.07.2019

MSA

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

MK (26.07.2019) 2P 6C