



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P. (MD) .No.10752 of 2019

1.T.Tamil Selvi
2.Thangapandi ... Petitioners/Accused 2 and 3
Vs.
1.The Assistant Commissioner of Police (L & O),
O/o. The Commissioner of Police,
Madurai City,
Madurai.
2.The Inspector of Police,
K.Pudur Police Station,
Madurai District,
Madurai.
(Crime No.320 of 2019) ...Respondent/Complainant
3.Mr.Raja ... Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned III Additional Sessions Judge cum Special Judge for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai to accept the surrender of the petitioners/accused Nos.1 and 2 and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.320 of 2019, dated 11.07.2019 on the file of the second respondent police.

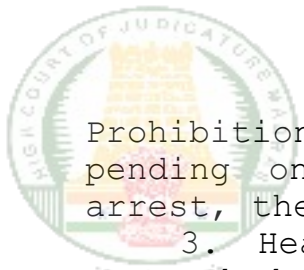
For Petitioners : Mr.S.Rajasekar

For R1 & R2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

The petitioners seek for a direction to the learned III Additional Sessions Judge cum Special Judge for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai to accept the surrender of the petitioners/accused Nos.1 and 2 and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.320 of 2019, dated 11.07.2019 on the file of the second respondent police.

2. The petitioners are the accused Nos.1 and 2 for the offences punishable under Sections 294(b), 323, 506(i) of I.P.C. and Section 3(2) (v-a) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Section 4 of Tamil Nadu



Prohibition of Harassment of Women Act, in Crime No.320 of 2019, pending on the file of the 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.

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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) Act, 1989, this Court feels it appropriate to direct the petitioners to surrender before the learned III Additional Sessions Judge cum Special Judge for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, 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 petitioners on merits and pass appropriate orders on the same day of their surrender. The petitioners are directed to comply with the provision under Section 15(A)(5) of the Scheduled Castes and 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 Sessions Judge cum Special Judge for SC & ST
(Prevention of Atrocities) Act, 1989,
Madurai.
- 2.The Assistant Commissioner of Police (L & O),
O/o. The Commissioner of Police,
Madurai City,
Madurai.
- 3.The Inspector of Police,
K.Pudur Police Station,
Madurai District,
Madurai.



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

+1 CC to M/s.S.RAJASEKAR, Advocate (SR-78705[F] dated 30/07/2019)

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Order made in
CRL.O.P. (MD) .No.10752 of 2019

Dated:
29.07.2019

KK/SAR/05.08.2019/3P-6C/