



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P. (MD) .No.10611 of 2019

T.Balamurugan ... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Andipatti,
Theni District.

2.The Inspector of Police,
Andipatti Police Station,
Theni District,
(Crime No.191 of 2019)

...Respondents/Complainants

2.Chinnakalai ... 3rd Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned Principal District and Sessions Judge, PCR Court, Theni District to accept the surrender of the petitioner and consider his bail application on the same day on merit relating to Crime No.191 of 2019, dated 24.04.2019.

For Petitioner : Mr.G.Mohankumar

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

O R D E R

The petitioner seeks for a direction to the learned Principal District and Sessions Judge, PCR Court, Theni District to accept the surrender of the petitioner and consider his bail application on the same day on merit relating to Crime No.191 of 2019, dated 24.04.2019.

2. The petitioner is the accused for the offences punishable under Sections 147, 148, 294(b), 324 of I.P.C. and Section 3(1)(r), 3(1)(s) and 3(2)(Va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.191 of 2019, pending on the file of the 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) Act, 1989, this Court feels it appropriate to direct the petitioner to surrender before the learned Principal District and 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 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 Principal District and Sessions Judge,
PCR Court, Theni District.

2.The Deputy Superintendent of Police,
Andipatti,
Theni District.

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

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

+1 CC to M/s.G.MOHANKUMAR, Advocate (SR-78090[F] dated 26/07/2019)