



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P. (MD) .No.10905 of 2019

1.T.Muthukrishnan
2.Jaganathan
3.Sheik Abdul Kadhar

: Petitioners/Accused No.3 to 5

Vs.

1.The Deputy Superintendent of Police
Nanguneri
Tirunelveli District

2.State represented by
The Inspector of Police
Earvadi Police Station
Tirunelveli District
(Crime No.36 of 2017)

: 1st and 2nd Respondents /
Complainants

3.Rajavel : 3rd Respondent/Defacot Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the I Additional District and Sessions Judge Cum PCR Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli District to accept the surrender of the petitioners and consider the petitioners bail application and grant bail on the same date of surrender itself in Crime No.36 of 2017 dated 08.03.2017 on the file of the second respondent police.

For Petitioners : Mr.P.M.Vishnuvarthanan
For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

The petitioners seek for a direction to the I Additional District and Sessions Judge Cum PCR Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli District to consider their bail application to be filed in Crime No.36 of 2017 on the file of the second respondent police and to accept their surrender on the same day on merits.

<https://hcservices.ecourts.gov.in/hcservices/> 2. The petitioners are the accused for the offences punishable under Sections 147, 447, 294(b), 324, 506(ii), 427 I.P.C 3(1)(r), 3(1)(s), 3(2)(Va) of the Scheduled Castes and the



Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No. 36 of 2017, pending on the file of the second 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.

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 the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners to surrender before the learned I Additional District and Sessions Judge Cum PCR Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli 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 petitioners on merits and pass appropriate orders on the same day of their surrender. The petitioners are 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(CO)

// True Copy //

Sub Assistant Registrar(CS)

msa

To

1. The I Additional District and Sessions Judge Cum PCR Court
(Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Tirunelveli District
2. The Deputy Superintendent of Police
Nanguneri
Tirunelveli District
3. The Inspector of Police
Earvadi Police Station
Tirunelveli District



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

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+1CC TO MR.P.M.VISHNUVARTHANAN, Advocate Sr. No. 79174

Order made in
CRL.O.P. (MD) .No.10905 of 2019
01.08.2019

NS (CO)
TR (05.08.2019) 3P 6C