



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P. (MD) .No.11110 of 2019

K.Aswin @ Aswin Sudarsan : Petitioner/Accused No.2
Vs.

1.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

2.The State, rep.by Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Cr.No.21 of 2019) : Respondents/Complainants

3.Murali : Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned Principal District and Sessions Judge cum (PCR Court), Ramanathapuram to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.21 of 2019 dated 18.01.2019 on the file of the second respondent police.

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

ORDER

The petitioner seeks for a direction to the learned Principal District and Sessions Judge cum (PCR Court), Ramanathapuram, to consider his bail application to be filed in Crime No.21 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 Section 147, 294(b), 323, 506(1) IPC and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.21 of 2019, pending on the file of the second respondent police and apprehending arrest, he has filed the present petition.

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

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 the 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 cum (PCR Court), Ramanathapuram, 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)

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To

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

+1 CC to M/s.G.VISHNURAM, Advocate (SR-80174[F] dated 07/08/2019)

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