



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2019

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THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

CRL.O.P. (MD).No.11421 of 2019

1.M.Palani
2.M.Rajkumar
3.M.Mugilan
4.Jeyamani
5.K.Kannan
6.R.Kathiresan
7.G.Malaichamy
8.M.Kavitha
9.R.Sathiya
10.A.Pandi
11.A.Karthick
12.S.Viji

: Petitioners/

Accused Nos.1,3,4,5,7,8,9,10,11,14,15 & 16

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Samayanallur Sub-Division,

2.The Inspector of Police,
Palamedu Police Station,
Madurai District.

... Respondents/Defacto Complainants

3.P.Chandru

... Respondent No.3/De-jure Complainant

4.P.Mahamuni
5.K.Malaichamy
6.M.Sankar
7.Pandi
8.M.Santhosham
9.M.Kamalarani
10.C.Devi
11.Panchu
12.Murugeswari

: Respondents 4 to 12/Injured/Victims

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the Additional District and Sessions Court for PCR Cases, Madurai to consider the bail application that will be filed by the petitioner, in Crime No.100 of 2019 on the file of the second respondent police, on the same day of its filing.



For Petitioners
For R1 & R2

: Mr.S.Malaikani
: Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

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The petitioners seek for a direction to the Additional District and Sessions Court for PCR Cases, Madurai, to consider their bail application to be filed in Crime No.100 of 2019 on the file of the second respondent police and to accept their surrender on the same day on merits.

2. The petitioners are the accused for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506 (ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act r/w 3(2)(v)(a) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.100 of 2019, 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 Additional District and Sessions Court for PCR Cases, 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 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

/TRUE COPY/

Sub Assistant Registrar

To

1. The Additional District and Sessions Court for PCR Cases,
<https://hcservices.ecourts.gov.in/hcservices/>
Madurai



2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Samayanallur Sub-Division,

3. The Inspector of Police,
Palamedu Police Station,
Madurai District.

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

+1 CC to M/s.S.MALAIKANI, Advocate (SR-81902[F] dated 16/08/2019)

CRL.O.P. (MD) .No.11421 of 2019

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JM/19.08.2019/3P/6C