



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD).No.11278 of 2019

1.Lakshumanan
2.Karpukarasi
3.Selvi

: Petitioners/Accused Nos.6,8,9

Vs.

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

2.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
(Crime No.138 of 2018)

: Respondents No.1 & 2/Complainants

3.Vaiudaiyan

: 3rd Respondent/Defacto Complainant

4.Shanmugam

: Respondent No.4/Victim

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the learned Principal District and Sessions Court (PCR Cases), Ramanathapuram, to consider the bail application of the petitioners to be filed in Crime No.138 of 2018, on the file of the second respondent.

For Petitioner : Mr.G.Karuppasamy Pandian

For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl, side)

ORDER

The petitioners seek for a direction to the learned Principal District and Sessions Court (PCR Cases), Ramanathapuram, to consider the bail application of the petitioners to be filed in Crime No.138 of 2018, on the file of the second respondent.

2. The petitioners are arrayed as accused Nos.6, 8 and 9 for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506 (ii) of the Indian Penal Code r/w. Section 3 (1) (r) and 3 (1) (s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.138 of 2018, 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 Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners to surrender before the learned District and Sessions Court (PCR cases), 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 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(CS)

To

1.The District and Sessions Judge,
(PCR Court), Ramanathapuram.

2.The Deputy Superintendent of Police,
Mudukulathur, Ramanathapuram District.

3.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.

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

+1 CC to M/s.G.KARUPPASAMY PANDIAN, Advocate (SR-81048[F] dated
09/08/2019)

Order made in
CRL.O.P. (MD) .No.11278 of 2019
09.08.2019