



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD).No.11782 of 2019

Raju @ Radhakrishnan : Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Thiruvaiyaru, Thanjavur District.

2.The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District,
(Crime No.187 of 2019)

: Respondents / Complainants

3.Sathasivam

: 3rd Respondent/
Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned I Additional District and Sessions Judge (PCR) Court, Thanjavur to accept the surrender of the petitioner and consider his bail application on the same day on merit relating to Crime No.187 of 2019 dated 04.08.2019.

For Petitioner : Mr.D.Deva Arul Samuel Gibson

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

ORDER

The petitioner seeks for a direction to the learned I Additional District and Sessions Judge (PCR) Court, Thanjavur, to consider his bail application to be filed in Crime No.187 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 294(b), 323 IPC r/w 3(1) (r), 3(1) (s), 3(2) (va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, in Crime No.187 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 I Additional District and Sessions Judge (PCR) Court, Thanjavur, 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 (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The I Additional District and Sessions Judge (PCR) Court,
Thanjavur
- 2.The Deputy Superintendent of Police,
Thiruvaiyaru, Thanjavur District.
- 3.The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.JENIFAR BIBIN, Advocate (SR-83075[F] dated
22/08/2019

Order made in
CRL.O.P. (MD) .No.11782 of 2019
Dated : 22.08.2019