



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.08.2019

CORAM

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

CRL.O.P. (MD) .No.12036 of 2019

WEB COPY

Kanchi Raja : Petitioner/Accused No.2
Vs.

1. The Deputy Superintendent of Police,
Theni, Theni District.

2. The State rep by the
Inspector of Police,
Devathanapatti Police Station,
Theni District.
in Crime No.266 of 2019.

: 2nd Respondent/Complainant

3. Gopalsamy

: 3rd Respondent/Defacto
Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned Principal District Judge (PCR Cases), Theni to consider the bail application of the petitioner on the same day of his surrender pending investigation in connection with the Crime No.266 of 2019 on the file of the respondent police.

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

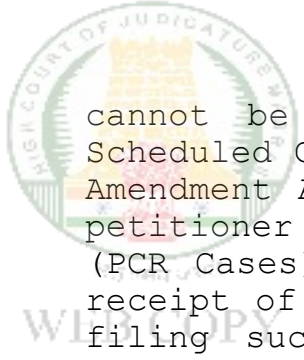
ORDER

The petitioner seeks for a direction to the learned Principal District Judge (PCR Cases), Theni, to consider his bail application to be filed in Crime No.266 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), 324 IPC and Sections 3(1)(r), 3(2)(Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, in Crime No.266 of 2019, pending on the file of the second respondent police and apprehending arrest, he has 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 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 Judge (PCR Cases), Theni, 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 learned Principal District Judge (PCR Cases),
Theni.
2. The Deputy Superintendent of Police,
Theni, Theni District.
3. The Inspector of Police,
Devathanapatti Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-84065[F] dated
29/08/2019)

Order made in
CRL.O.P. (MD) .No.12036 of 2019
Dated:28.08.2019

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MK (09.09.2019) 2P 6C