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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **20.08.2019**

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD).No.11530 of 2019

Jeyapal : Petitioner

Vs.

1.State rep by
The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Madurai District.

2.State rep by
The Inspector of Police,
Chinthupatti Police Station,
Madurai District.
In Cr.No.139 of 2019. :Respondents No.1 and 2/ Complainants

3.Arulpandi :3rd Respondents /Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned III Additional District Cum Sessions Court (P.C.R.Court) Madurai to consider of the bail application on the surrender of the petitioners in connection with case in Crime No.139 of 2019, pending investigation on the file of the second respondent police on merits on the same day.

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

ORDER

The petitioner seeks for a direction to the III Additional District Cum Sessions Court (P.C.R.Court) Madurai, to consider his bail application to be filed in Crime No.139 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 Sections 294(b), 323, 447, 355 and 506(ii) IPC and Section 4 of Tamil Nadu Prevention of Women Harassment Act r/w 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.139 of

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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 III Additional District Cum Sessions Court (P.C.R.Court) 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 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)

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To

1.The III Additional District Cum Sessions Court (P.C.R.Court)
Madurai.

2.The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Madurai District.

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

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

+1 CC to M/s.K. NEELAMEGAM, Advocate (SR-82314[F] dated 20/08/2019)

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KK/SAR/27.08.2019/2P-6C/