



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2019

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.11966 of 2019

T.Markkandan ... Petitioner/ Sole Accused
Vs.

1.The Deputy Superintendent of Police,
Uthamapalayam,
Theni District. ... Respondent 1/ Investigating Officer

2.State through the Inspector of Police,
Uthamapalayam Police Station,
Theni District.
in Crime No.403 of 2019. ... Respondent 2/ Complainant

3.Shanthi ...Respondent 3/Defacto Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned Principal District and Sessions Judge (PCR Court), Theni to consider the bail application of the petitioner on the same day on his surrender in Crime No.403 of 2019 pending on the file of the first respondent police.

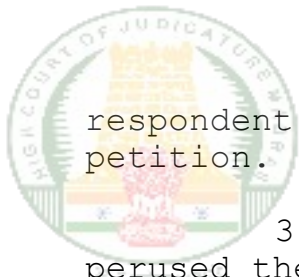
For Petitioner : Mr.R.Ramasamy

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

ORDER

The petitioner seeks for a direction to the learned Principal District and Sessions Judge (PCR Court), Theni, to consider his bail application to be filed in Crime No.403 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, 506(ii), 376, 511 r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 and Sections 3(1)(r), 3(1)(s), 3(2)(Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.403 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.

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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 and Sessions Judge (PCR Court), 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

To

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

2.The Deputy Superintendent of Police,
Uthamapalayam,Theni District.

3.The Inspector of Police,
Uthamapalayam Police Station,Theni District.

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

+1 CC to M/s.R.RAMASAMY, Advocate (SR-83842[F] dated 28/08/2019)

Order made in
CRL.O.P. (MD) .No.11966 of 2019
Dated:28.08.2019

TA

<https://hmc.court.gov.in/hcserv/243.6C>