



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P. (MD) .No.11788 of 2019

1.Thirupathi
2.Balu
3.Murugan
4.Muthupandi

: Petitioners/Accused Nos.3 to 6

Vs.

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

2.The Inspector of Police,
Devadanapatti Police Station,
Theni District.

(Crime No.164 of 2019) : Respondents 1 & 2/Complainants

3.Mariamammal : 3rd Respondent/Defacto Complainant

4.Manivel

5.Santhosh

6.Jaya

7.Manikandan : Respondents 4 to 7/ Victims

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 petitioners bail application on the same day of their surrender in Crime No.164 of 2019 on the file of the Inspector of Police, Devadanapatti Police Station, Theni District.

For Petitioner

: Mr.P.Mani Ananth

For R1 & R2

: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.Side)

ORDER

The petitioners seek for a direction to the learned Principal District and Sessions Judge (PCR Court), Theni, to consider their bail application to be filed in Crime No.164 of 2019 on the file of the second respondent police and to accept their surrender on the same day on merits.

2. The petitioners are the accused for the offences punishable under Sections 147, 294(b), 323 and 506(i) IPC r/w 3(1) (r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.164 of 2019, 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 the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners 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 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(CO)

// True Copy //

Sub Assistant Registrar(CS)

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To

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

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

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

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

+1CC TO MR.P.MANI ANANDH, Advocate Sr. No. 82939

Order made in

CRL.O.P. (MD) .No.11788 of 2019

Dated:22.08.2019

NS (CO)

<https://hcservices.ecourts.gov.in/hcservices/>

1R (28.08.2019) 2P 6C