



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.11878 of 2019

1.Nalini Kumari
2.Sree Priya
3.Subash

... Petitioners/
Accused Nos.1,2 and 4

Vs.

1.The Deputy Superintendent of Police,
Thuckalay,
Kanyakumari District.

2.State represented by
the Inspector of Police,
Thuckalay Police Station,
Kanyakumari District
in Crime No.388 of 2019.

... Respondents 1 & 2/
Complainants

3.Balaji

... 3rd Respondent/
Defacto Complainant

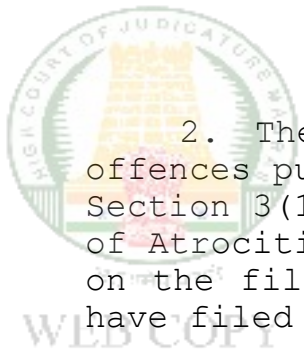
PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the II Additional Sessions Judge cum PCR Court, Tirunelveli to consider the bail application on the same day of their surrender on merits which would be filed by the petitioners in Crime No.388 of 2019 on the file of the second respondent police.

For Petitioners : Mr.C.Kishore

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

O R D E R

The petitioners seek for a direction to the learned II Additional Sessions Judge cum PCR Court, Tirunelveli to consider the bail application on the same day of their surrender on merits which would be filed by the petitioners in Crime No.388 of 2019 on the file of the second respondent police.



2. The petitioners are the accused Nos.1, 2 and 4 for the offences punishable under Sections 341, 294(b), 506(i) of I.P.C. and Section 3(1)(s) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989, in Crime No.388 of 2019, pending on the file of the 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 Scheduled Tribes (Prevention of Atrocities) Act, 1989, this Court feels it appropriate to direct the petitioners to surrender before the learned II Additional Sessions Judge cum PCR Court, Tirunelveli 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 provision under Section 15(A) (5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

5. The Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The II Additional Sessions Judge cum PCR Court, Tirunelveli.

2.The Deputy Superintendent of Police,
Thuckalay, Kanyakumari District.

3.The Inspector of Police,
Thuckalay Police Station, Kanyakumari District

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

+1 CC to M/s.C. KISHORE, Advocate (SR-83477[F] dated 27/08/2019)

Order made in
CRL.O.P.(MD).No.11878 of 2019
Dated:26.08.2019

akv

MS/04.09.2019/2P.6C