



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.11936 of 2019

WEB COPY

M.Balasubramaniyan

: Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pudukottai Sub-Division,
Pudukottai District.

2.The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai District.

:Respondent/De-Facto Complainant

3.P.Manojkumar

:Respondent No.3/De-jure Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the Hon'ble District and Sessions Court for PCR Cases, Pudukkottai, to consider the bail application that will be filed by the petitioner in Crime No.144 of 2019, on the file of the second respondent Police, on the same day of its filing.

For Petitioner : Mr.I.Sabeer Mohamed

For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi

Government Advocate (Crl. side)

ORDER

The petitioner seeks for a direction to the learned District and Sessions Judge for PCR Cases, Pudukkottai, to consider the bail application of the petitioner on the same day of his surrender in Crime No.144 of 2019, on the file of the second respondent Police.

2. The petitioner is the Accused No.1 for the offences punishable under Sections 147, 294 (b), 323 and 336 of the Indian Penal Code r/w Sections 3 (1) (r), 3(1) (s) and 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.144 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 Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioner to surrender before the learned District and Sessions Judge for PCR Cases, Pudukkottai, 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 (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District and Sessions Judge for PCR Cases,
Pudukkottai.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pudukkottai Sub-Division,
Pudukkottai District.

3.The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai District.

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

+1 CC to Mr.I. SABEER MOHAMED, Advocate SR-83450.

Order made in
CRL.O.P. (MD) .No.11936 of 2019
27.08.2019

CS(03.09.2019) 2P 6C