



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P. (MD) .No.11994 of 2019

WEB COPY

1.M.Amaravathi

2.M.Nanthini

: Petitioners/Accused Nos. 3 & 4

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Theni Sub-Divison,
Theni District.

2.The Inspector of Police,
All Women Police Station,
Theni, Theni District.

:Respondent/De-Facto Complainant

3.Kanniyammal

: Respondent No.3/De-injure
Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the District and Sessions Court for PCR Cases, Theni to consider the bail application that will be filed by the petitioners in Crime No.13 of 2019 on the file of the second respondent police on the same day of their surrender.

For Petitioners

: Mr.I.Sabeer Mohamed

For R1 & R2

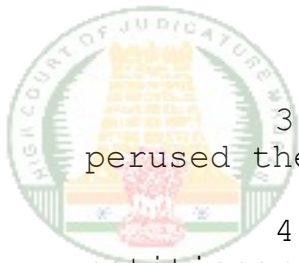
: Mr.K.Suyambulinga Bharathi

Government Advocate (CrI.Side)

ORDER

The petitioners seek for a direction to the District and Sessions Court for PCR Cases, Theni, to consider their bail application to be filed in Crime No.13 of 2019 on the file of the respondent police and to accept their surrender on the same day on merits.

2. The petitioners are the accused for the offences punishable under Section 294(b), 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act altered into Sections 294(b), 506(ii) IPC, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and Sections 3(i)(r), 3(i)(s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, in Crime No.13 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 the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners to surrender before the District and Sessions Court for PCR Cases, 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 (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District and Sessions Court for PCR Cases, Theni.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Theni Sub-Divison, Theni District.

3.The Inspector of Police,
All Women Police Station,
Theni, Theni District.

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

+1 CC to Mr.I. SABEER MOHAMED, Advocate SR-83858.

Order made in
CRL.O.P. (MD) .No.11994 of 2019

Dated:
28.08.2019

CS(09.09.2019) 2P 6C