



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.08.2019

CORAM

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

CRL.O.P. (MD) .No.12044 of 2019

WEB COPY

1.Sundarapandi
2.Ganesan
3.Vignesh

: Petitioners/Accused No.1 to 3

Vs.

1.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

2.The Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.

: Respondents/Complainants

3.Mahalingam

: 3rd Respondent/Defacto
Complainant

4.Vallarakkan

5.Sathiah

: 4th and 5th Respondents/
Victims

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned Principal District and Sessions Judge (PCR Act Cases), Ramanathapuram to consider the bail application of the petitioners on the same day of surrender in Crime No.126 of 2019 on the file of the Inspector of Police, Thiruppalaikudi Police Station, Ramanathapuram District, the second respondent herein.

For Petitioners : Mr.R.Murugan
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)
For R3 : MR.D.Anbarasu

ORDER

The petitioners seek for a direction to the learned Principal District and Sessions Judge (PCR Act Cases), Ramanathapuram, to consider their bail application to be filed in Crime No.126 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), 323, 506(i) IPC and Sections 3(i)(r), 3(i)(s) and 3(2)(v-a) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989, in Crime No.126 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 learned Principal District and Sessions Judge (PCR Act Cases), Ramanathapuram, 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)

To

1. The Principal District and Sessions Judge,
(PCR Act Cases), Ramanathapuram.

2. The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

3. The Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.

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

+1 CC to Mr. R. MURUGAN, Advocate (SR-83731[F] dated 28/08/2019)

+1 CC to Mr. D. ANBARASU, Advocate (SR-84083[F] dated 29/08/2019)

Order made in

CRL.O.P. (MD).No.12044 of 2019

Dated: **28.08.2019**