



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.12218 of 2019

1.Kumar

2.Durai

: Petitioners/Accused No.3 & 4

Vs.

1.The Deputy Superintendent of Police,
Illupur Post and Taluk,
Pudukkottai District.

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

: Respondents/Complainants

3.Rajagopal

: Respondent/Defacto Complainant

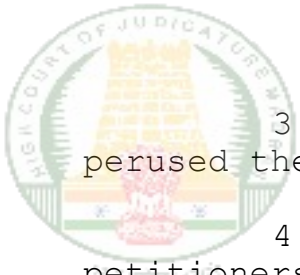
PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the learned Special Judge for PCR Cases, District and Sessions Judge, Pudukkottai, to consider the bail application filed by the petitioners on the same day of surrender, in Crime No.119 of 2019 on the file of the respondent police.

For Petitioners : Mr.P.Ganapathi Subramanian
For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl. Side)

ORDER

The petitioners seek for a direction to the learned Special Judge for PCR Cases, District and Sessions Judge, Pudukkottai, to consider their bail application on the same day of surrender, in Crime No.119 of 2019 on the file of the respondent police.

2. The petitioners are the accused Nos.3 and 4 for the offences punishable under Sections 147, 148, 294(b) and 506(2) 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.119 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) Amendment Act, 2015, this Court feels it appropriate to direct the petitioners to surrender before the learned Special Judge for PCR Cases, District and Sessions Judge, 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 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

To

- 1.The Special Judge for PCR Cases,
District and Sessions Judge,
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Illupur Post and Taluk,
Pudukkottai District.
- 3.The Inspector of Police,
Illupur Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-84468[F] dated 30/08/2019)

Order made in
CRL.O.P. (MD) .No.12218 of 2019

Dated:
30.08.2019

sml