



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Criminal Original Petition (MD) No.11627 of 2016

1.Vinoth Kumar
2.Prem Kumar
3.Thangapandi
4.Gopinath
5.Raja
6.Kannathasan
7.Mari
8.Boopathy

...Petitioners/Accused No.1,2,4,
10,11,14,28&18

vs.

State, rep.by
The Sub-Inspector of Police
Kadupatti Police Station
Madurai District
(Crime No.12 of 2016)

... Respondent / Complainant

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned III Additional Sessions Court (PCR), Madurai, Madurai District, to accept the surrender of the petitioners and consider the bail application on merits on the date of surrender in Crime No.12 of 2016, on the file of the respondent Police on the very same day.

For Petitioners : Mr.M.Pitchaimuthu

For Respondent : Mr.P.Kandasamy, Government Advocate, (Crl.Side)

O R D E R

The petitioners, who are A1, A2, A4, A10, A11, A14, A28 and A18 in Crime No.12 of 2016 under Sections 147, 447 and 307 I.P.C., and Section 3 of T.N.P.P.D.L.Act r/w Section 3(2)(V) of S.C./S.T. Act, registered by Kadupatti Police Station, seeks a direction to the learned III Additional Sessions Judge, P.C.R.Court, Madurai, Madurai District, to consider their bail petition on the date of their surrender.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side) for the respondent.



3. The petitioners are accused of having committed offences under S.C. / S.T.Act. As per Section 18 of the Act, advance bail petition under Section 438 Cr.P.C. will not lie.

4. In the circumstances, the learned counsel for the petitioners submits that there is no *prima facie* case against the petitioners and seeks a direction to the learned III Additional Sessions Judge, P.C.R.Court, Madurai, Madurai District, to dispose of their bail petition on the date of their surrender.

5. In the facts and circumstances, ordered as under:

- (i) The petitioners shall surrender before the learned III Additional Sessions Judge, P.C.R.Court, Madurai, Madurai District, within 10 days from the date of receipt of a copy of this order.
- (ii) On the date of their surrender the said Judge shall dispose of their bail petition according to law.

Sd/-
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1.The III Additional Sessions Judge,
P.C.R.Court, Madurai, Madurai District.

2.The Government Advocate (Criminal Side),
Madurai Bench of Madras High Court, Madurai.

3.The Sub-Inspector of Police,
Kadupatti Police Station, Madurai District.

+1 CC to Mr.M.PITCHAIMUTHU, Advocate, SR No.37284

Cr1.O.P.(MD).No.11627 of 2016
14.07.2016

krk

SH/KBM/SAR-III:20.07.2016:2P/5C