

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 14.07.2016****CORAM:****THE HONOURABLE DR.JUSTICE P.DEVADASS****Criminal Original Petition (MD) No.11630 of 2016**

1.Baskar

2.Senthil @ Senthil Arumugam

... Petitioners

vs.

1.The Assistant Commissioner of Police

Pettai Police Station

Tirunelveli District.

2.The Inspector of Police

Pettai Police Station

Nellai District

... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the petitioner to surrender along with the Bail petition and sureties to the learned Special Court for SC and ST (POA) Act and direct the learned Judge to consider the bail petition on the same day in connection with Crime No.414 of 2016, on the file of the 1st respondent.

For Petitioners : Mr.N.Sudalaimuthu

For Respondents : Mr.P.Kandasamy

G.A.(Crl.Side)

ORDER

The petitioners, who are accused (rank not known) in Crime No.414 of 2016 under Sections 147, 294(b), 323, 506(ii) I.P.C., and Sections 3(1)(r), 3(1)(s) and 3(2)(v)(a) of S.C. / S.T. (P.O.A.) Act, registered by Pettai Police Station, seeks a direction to the learned Special Judge for P.C.R.Cases, Tirunelveli, 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 respondents.

3. The petitioners are accused of having committed offences under S.C. / S.T. (P.O.A.) 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 Special Judge for

P.C.R.Cases, Tirunelveli, 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 Special Judge for P.C.R.Cases, Tirunelveli, 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 Special Judge for P.C.R.Cases,
Tirunelveli.
- 2 The Assistant Commissioner of Police,
Pettai Police Station,
Tirunelveli District.
- 3.The Inspector of Police,
Pettai Police Station,
Nellai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Sudalaimuthu, Advocate in SR.NO.36655

krk

JA-DB-SAR.I/20.7.2016/2P:6C

Cr1.O.P. (MD) .No.11630 of 2016
14.07.2016