

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 18.07.2016****CORAM:****THE HONOURABLE DR.JUSTICE P.DEVADASS****Cr1.O.P.(MD) No.11906 of 2016**

1. S.Murugesan
2. Ponniah
3. Rajendran

... Petitioners/Accused

-vs-

State rep. by
The Inspector of Police,
Perungudi Police Station,
Madurai District.
(Crime No.218 of 2016)

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed, under Section 482 Cr.P.C., praying to direct the learned III Additional District (PCR) Judge, Madurai to consider the bail application of the petitioners on the same day, on merits in the event of their surrender in connection with Crime No.218 of 2016 on the file of the respondent.

For Petitioners : Mr.M.Solaisamy
For Respondent : Mr.P.Kandasamy
Govt.Advocate (Cr1.Side)

ORDER

The petitioners, who are accused in Crime No.218 of 2016 under Sections 341, 294(b), 323 of I.P.C. and 3(2)(v a) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, registered by the Perungudi Police Station, Madurai District, seek a direction to the learned III Additional District (PCR) Judge, Madurai 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 SC/ST (POA) 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 to dispose of their bail petition on the date of their surrender.

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

(1) The petitioners shall surrender before the learned III Additional District (PCR) Judge, Madurai within 10 days from the date of receipt of a copy of this order.

(2) On the date of their surrender the said Judge shall dispose of their bail petition according to law.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

- 1.The III Additional District (PCR) Judge,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Inspector of Police,
Perungudi Police Station,
Madurai District.

Akv

AA/KBM/26.07.2016/2p-4c

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