



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Crl.O.P.(MD) No.11950 of 2016

1. Muthu
2. Muthukrishnan
3. Muthuprabhakaran
4. Paramasivam
5. Karuppasamy
6. Nagaraj
7. Neshakumar

...Petitioners/Accused No.1,3,4,5,6 and 9
7th Accused Rank not known

-vs-

1. The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.
2. State through the Inspector of Police,
Kariapatti Police Station,
Virudhunagar District,
Crime No.202 of 2016.

... Respondents/Complainants.

PRAYER: Criminal Original Petition is filed, under Section 482 Cr.P.C., praying to direct the learned Principal District Sessions Judge (Special Case for PCR) Court, Srivilliputhur at Virudhunagar District to accept the surrender of the petitioners and consider their bail application on the same day in relating to Crime No.202 of 2016 on the file of the second respondent police.

For Petitioners : Mr.G.Mariappan

For Respondents : Mr.P.Kandasamy

Govt.Advocate (Crl.Side)

O R D E R

The petitioners, who are accused in Crime No.202 of 2016 under Sections 147, 148, 341, 294(b), 323, 324, 355, 506(ii) of I.P.C., and Section 4 of Tamil Nadu Women Harassment Act and Section 3(1)(r) 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Ordinate Act, 2014, registered by the Kariapatti Police Station, Virudhunagar District, seek a direction to the learned Principal District Sessions Judge (Special Case for PCR) Court, Srivilliputhur at Virudhunagar 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 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 Principal District Sessions Judge (Special Case for PCR) Court, Srivilliputhur at Virudhunagar District 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(CS-II)

/True Copy/

Sub Assistant Registrar.

To:

1.The Principal District Sessions Judge (Special Case for PCR) Court,
Srivilliputhur,
Virudhunagar District.

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

3. The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.

4.The Inspector of Police,
Kariapatti Police Station,
Virudhunagar District.

+1CC to M/S. G.Mariappan, Advocate, SR.No. 37441

Cr1.O.P.(MD) No.11950 of 2016
18.07.2016

AM/NGM.MP/SAR-I/21.07.2016/2P/6C