



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Cr1.O.P. (MD) No.11951 of 2016

1. Manivannan
2. Kalithas
3. Kalaiselvam
4. Raguram
5. Satheeshkumar
6. Saranraj

... Petitioners/Accused No.1 to 6

-vs-

1. The Deputy Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

2. The Inspector of Police,
Bazzar Police Station,
Ramanathapuram,
Ramanathapuram District.

Crime No.407 of 2016.

... Respondents/Complainant

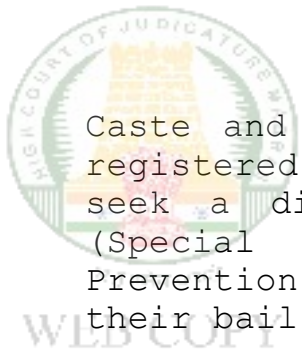
PRAYER: Criminal Original Petition is filed, under Section 482 Cr.P.C., praying to direct the learned District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes) Prevention of Atrocities Act, 1989, Ramanathapuram to accept the surrender of the petitioners/accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.407 of 2016 on the file of second respondent police.

For Petitioners : Mr.D.Balamurugapandi

For Respondents : Mr.P.Kandasamy
Govt.Advocate (Cr1.Side)

O R D E R

The petitioners, who are accused Nos.1 to 6 in Crime No.407 of 2016 under Sections 147, 294(b), 323, 506(ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 3 of Tamil Nadu Public Property (Prevention of Damages and Loss) Act, 1992 r/w. Section 3(1)(X) of the Schedule



Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, registered by the Bazzar Police Station, Ramanathapuram District, seek a direction to the learned District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes) Prevention of Atrocities Act, 1989, Ramanathapuram 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 District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes) Prevention of Atrocities Act, 1989, Ramanathapuram 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(P&A)

/True copy/

Sub Assistant Registrar

To:

1.The District and Sessions Judge
(Special Court for Scheduled Castes and Scheduled Tribes)
Prevention of Atrocities Act, 1989,
Ramanathapuram.

2.The Inspector of Police,
Bazzar Police Station,
Ramanathapuram District.

<https://hcservicecourtdeserveinitservice>
3.The Superintendent of Police,
Ramanathapuram, Ramanathapuram District.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.D.Balamurugapandi, Advocate in SR.No.37477

SDR/SKS-RR/26.07.2016/3P/6C

CrI.O.P.(MD) No.11951 of 2016
18.07.2016