



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.16883 of 2016

WEB COPY

1.Marimuthu

2.Selvi

.. Petitioners/A1 &A2

Vs

The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

(Crime No.566 of 2016)

.. Respondent/complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the learned II-Additional District Judge, (PCR Cases), Tirunelveli, to accept the petitioners surrender and consider their bail application on the same day in connection with Crime No.566 of 2016 on the file of the respondent police.

For Petitioners: Mr.M.Jagadeesha Pandian

For Respondent : Mr.P.Kandasamy

Government Advocate (Crl. Side)

O R D E R

The petitioners seek a direction to the learned II-Additional District Judge, (PCR Cases), Tirunelveli, to release them on bail, on the same day in the event of their surrender and filing bail application Crime No.566 of 2016 on the file of the respondent police.

2. The petitioners are accused for the offences punishable under Sections 294(b), 323 and 506(i) IPC read with Section 3(1)(r)(s), III(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment and Ordinance Act, 2015.

3. Learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in the case and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent.



5. Having regard to the facts and circumstances of the case, the petitioners are directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.566 of 2016 and consider the bail application of the petitioners and dispose of the same on merits and in accordance with law, on the same day of their surrender.

6. This Criminal Original Petition is ordered accordingly.

Sd/

Assistant Registrar (CS-II)

/TRUE COPY/

Sub Assistant Registrar

To:

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

+1cc to M/S.M.Jegadeesha Pandian, Advocate in SR.No.51398

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PJL

PA/AAL-MPA/SAR III/19.09.2016/2P/5C