



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

CrI.O.P. (MD) No.20880 of 2016

1.Muthumari
2.Siva
3.Maresh @ Thangamuthumari .. Petitioners/A1,A2 & A4

Vs.

State rep. by
The Inspector of Police,
Courtrallam Police Station,
Courtrallam, Tirunelveli District.
(Crime No.339 of 2016) .. Respondent/complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the learned II-Additional District and Sessions Judge, (PCR Court), Tirunelveli, under SC/ST Act to consider the bail application on the surrender of the petitioners in connection with Crime No.339 of 2016, pending investigation on the file of the respondent police on merits on the same day.

For Petitioners : Mr.H.Elango

For Respondents : Mr.K.Anbarasan
Government Advocate (CrI. Side)

O R D E R

The petitioners seek a direction to the learned II-Additional District and Sessions Judge, (PCR Court), Tirunelveli, to consider the bail application of the petitioners on the day of surrender itself.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (CrI. Side) appearing for the respondents.

3 The petitioners are arrayed as accused in Crime No.339 of 2016 for the offences punishable under Sections 147, 294(b), 323, 324, 506(ii) of IPC read with Section 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, and that in view of the specific



bar contained in 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.The learned Government Advocate (Crl. Side) would submit that the injured person had already been discharged from the hospital.

5.Considering 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.339 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

PJL

To:

1.The II-Additional District and Sessions Judge, (PCR Court),
Tirunelveli.

2.The Inspector of Police,
Coutrallam Police Station,
Courtrallam, Tirunelveli District.

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

+1CC to Mr.H.Elango, Advocate Sr.No.66191

GJM/SK/SKN/SAR-I-7.11.16-2p-5c

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