



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.11.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.21269 of 2016

1.Vellai Durai @ Veliappan

2.Sathesh @ Madasamy

.. Petitioners/A1 and A2

Vs.

State through

The Inspector of Police,
Achanpudur Police Station,
Shencottai,

Tirunelveli District.

(Crime No.203 of 2016)

.. Respondent/complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the learned II-Additional Sessions Judge, (PCR Court), Tirunelveli, to consider their bail application which is to be filed by the petitioners on the date of surrender in Cr.No.203 of 2016 on the file of the respondent police station.

For Petitioners: Mr.S.Moorthy

For Respondent : Mr.P.Kannithevan

Government Advocate (Crl. Side)

O R D E R

The petitioners seek a direction to the learned II-Additional 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 (Crl. Side) appearing for the respondent.

3. The petitioners are arrayed as accused Nos. 1 and 2, in Crime No.203 of 2016 for the offences punishable under Sections 294(b), 323 of IPC and Section 3(1)(r)(s), 3(2va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 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.203 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 (Records)

/True Copy/

Sub Assistant Registrar

PJL

To

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

2.The Inspector of Police,
Achanpudur Police Station,
Shencottai,
Tirunelveli District.

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

+1CC to Mr.S.Moorthy, Advocate Sr.No.67186

GJM/SK/SKN/SAR(Judicial)-21.11.16-2p-5C

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