



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.23062 of 2016

1.Krishnan @ Ramakrishnan
2.Maruthupandi
3.Esakkipandi @ Puli Thevar : Petitioners/A3, A4 and A9

-vs-

State represented by
Inspector of Police,
Kovilpatti West Police Station,
Tuticorin District. : Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the II Additional District and Sessions Judge (PRC), Tirunelveli, to consider the bail application of the petitioners to be filed in Crime No.743 of 2016 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners : Mr.G.Thalaimutharasu

For Respondent : Mr.A.P.Balasubramanian
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned II Additional District and Sessions Judge (PCR), Tirunelveli, to consider the bail application of the petitioners/A3, A4 and A9, on the same day of their surrender in connection with the case in Crime No.743 of 2016 pending on the file of the respondent police.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 363, 294(b), 147, 148, 342, 323, 324, 307, 506(ii) IPC r/w Section 3(2)(v) of SC/ST Act, 2015 (Prevention of Atrocities Act), in Crime No.743 of 2016 and that in view of the specific bar under Section 18 of the SC & S.T. (Prevention of Atrocities) Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come forward with the present petition for the said prayer.



3. Heard Mr.A.P.Balasubramanian, the learned Government Advocate (Crl.Side), who takes notice for the respondent.

4. Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

The petitioners are directed to surrender before the learned II Additional District and Sessions Judge, (PCR), Tirunelveli, within fifteen days from today and if they filed any bail application in this crime number, learned II Additional District and Sessions Judge, (PCR), Tirunelveli, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

- 1.The II Additional District and Sessions Judge,
(PCR), Tirunelveli.
- 2.The Inspector of Police,
Kovilpatti West Police Station,
Tuticorin District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SMA/SS-3/SAR-3/22.12.2016:2P/4C