



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2016

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.23629 of 2016

- 1.M.Vinayagam @ Muthu @ Gomathinayagam
- 2.K.Senthil
- 3.B.Kolappan
- 4.Sabarish @ Jeevasubramanian
- 5.Nishanth @ C.Lakshmanan
- 6.Mathu @ B.Mahadevan Pillai
- 7.Balamurugan @ S.Murugan :Petitioners/A1 to A4, A6 to A8

-vs-

State through Inspector of Police,
Anjugramman Police Station,
Kanyakumari 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 (PCR Court), Tirunelveli, to consider the bail application of the petitioners on the same day of surrender and dispose the same on the same date on merits and in accordance with laws in Crime No.397 of 2016 on the file of the respondent.

For Petitioners	: Mr.R.Maheswaran
For Respondent	: Mr.A.P.Balasubramani
	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/A1 to A4 and A6 to A8, on the same day of their surrender in connection with the case in Crime No.397 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 147, 148, 323, 341, 294(b), 427, 452 and 506(ii) IPC r/w section 3(1)(x) of SC/ST PA) Act r/w Section 4 of the Tamil Nadu Prohibition of Harassment of women Act, 2002, in Crime No.397 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 (CrI.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(Records)

/True Copy/

Sub Assistant Registrar(CS)

To:

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

2.The Inspector of Police,
Anjugraman Police Station,
Kanyakumari District.

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

+1cc to M/s.R.Maheswaran, Advocate in SR.82612

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er.

PBK/GSV-PM/SAR-III 21/12/2016 ::2P-5C: (IT)