



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.2947 of 2016

WEB COPY

1.Nambirajan
2.Naveen @ Arumuga Nainar
3.Magesh
4.Murugan
5.Thangapandi
6.Arunachalam
7.Radhakrishnan
8.Sudalaikannu @ Right
9.Ajay

..Petitioners/Accused

Vs

The Inspector of Police,
Yeradi Police Station,
Nanguneri Taluk,
Tirunelveli District.

..Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned II Additional District Sessions Judge (PCR), Tirunelveli District to accept the surrender of the petitioners in Crime NO.25 of 2016 under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) I.P.C. r/w 3(1)(x) of SC/ST (POA) Act 1959 on the file of the respondent and dispose the bail application will be filed by the petitioners on the same day itself on meirts.

For Petitioners :Mr.V.Maharajan
For Respondent :Mr.K.V.Rajarajan
Government Advocate (Crl.Side)

O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned II Additional District Sessions Judge (PCR), Tirunelveli District to consider the bail application of the petitioners on the same day on their surrender in Crime No.25 of 2016 pending on the file of the respondent.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) I.P.C. r/w 3 (1)(x) of SC/ST (POA) Act 1959 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 forward with the said prayer.

3. The learned Government Advocate(Crl.Side) takes notice for the <https://hservices.ecourtts.gov.in/hservices/> submitted that the accused had attacked the defacto complainant at the time of playing Kabadi game and the injured has already been discharged from the hospital.



4. Considering the submissions of both sides and also considering the nature of the prayer in this case in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the learned II Additional District Sessions Judge (PCR), Tirunelveli District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.25 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

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 Sessions Court (PCR),
Tirunelveli District.

2. The Inspector of Police,
Yeradi Police Station,
Nanguneri Taluk,
Tirunelveli District.

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

+1cc to M/s.V.Maharajan, Advocate in SR.9857

Cr1.O.P. (MD) No.2947 of 2016
18.02.2016

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