

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 01.03.2016****CORAM****THE HONOURABLE MR. JUSTICE V.S. RAVI****Cr1.O.P. (MD) No.3654 of 2016****WEB COPY**

1.Sankar
2.Anand
3.Durai

..Petitioners/Accused Nos.1 to 3
Vs

The Inspector of Police,
Courtalam Police Station,
Tirunelveli District.
(In Cr.No.41 of 2016)

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Additional District Judge No.II, Tirunelveli (P.C.R.), to accept the surrender of the petitioners and consider the bail application to be filed by the petitioners on the same day on merits in Crime NO.41 of 2016 on the file of the respondent police.

For Petitioners :Mr.V.Angusamy

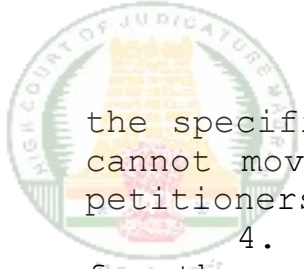
For Respondent :Mr.P.Kandasamy
Government Advocate (Cr1.Side)

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 Additional District Judge No.II, Tirunelveli (PCR) to consider the bail application to be filed by the petitioners on the same day on their surrender in Crime No.41 of 2016 pending on the file of the respondent.

2. The case of the prosecution is that on 22.02.2016 at about 06.00 p.m., when the defacto complainant and his friends have gone to Old Courtalam in order to take bath in falls and the accused Nos.1 to 3 have engaged in collecting the entrance pass at the car parking area and at that time, there has happened a scuffle between the petitioners and the defacto complainant and also, it is alleged that the petitioners, scolded the defacto complainant and his friends by using filthy language.

3. The learned counsel for the petitioners has also submitted that the petitioners have been implicated in this case for the alleged offences under Sections 341, 294(b), 323, 324 and 306(ii) of I.P.C. and Section 3(i)(x) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 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.

4. The learned Government Advocate(Crl.Side) takes notice for the respondent and also submits that the injured has already been discharged from the hospital.

5. 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 Additional District Judge No.II, Tirunelveli (PCR) is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.41 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*

/True Copy/

Sub Assistant Registrar

To

1. The Additional District Judge No.II, Tirunelveli PCR

2. The Inspector of Police,
Courtalam Police Station,
Tirunelveli District.

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

+1cc to Mr.V.Angusamy, Advocate in Sr.No.11580

CN/GJB-DP/9.03.2016/2P-5C

Crl.O.P. (MD) No.3654 of 2016

01.03.2016