



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.5107 of 2016

WEB COPY

1.Manikandan

2.Mahalingam @ Mano

..Petitioners/Accused

Vs

The State represented by
The Inspector of Police,
Seranthamaram Police Station,
Tirunelveli District.

(Crime No.66 of 2016)

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act cum the II Additional District and Sessions Judge (PCR Unit) Tirunelveli, to consider the bail application filed by the petitioners herein and pass orders on the same day, if the petitioners surrender before the said Court in connection with the case in Crime NO.66 of 2016 on the file of the respondent.

For Petitioners

: Mr.M.Solaisamy

For Respondent

: Mrs.S.Prabha

Government Advocate (Crl.Side)

ORDER

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned Special Judge for SC/ST Prevention of Atrocities Act cum II Additional District and Sessions Judge (PCR Unit), Tirunelveli to consider the bail application of the petitioners on the same day on their surrender in Crime No.66 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, 323, 324 I.P.C. r/w Section 3(1)(X) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 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 respondent.



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 Special Judge for SC/ST Prevention of Atrocities Act cum II Additional District and Sessions Judge (PCR Unit), Tirunelveli is directed to accept the surrender of the petitioners and consider the bail application, in the event of the petitioners filing such petition in Crime No.66 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 Special Judge for SC/ST prevention of Atrocities Act cum
The II Additional District and Sessions Court (PCR Unit),
Tirunelveli

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

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

+1cc to Mr.M.Solaisamy, Advocate Sr.No.19803

ssl

AA/SKS-RR/21.04.2016/2p-5c

Cr1.O.P. (MD) No.5107 of 2016
05.04.2016