



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2017

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P. (MD) No.131 of 2017

1.Maharajan
2.Krishnammal

:Petitioners/Accused A1 and A2

-vs-

1.The Inspector of Police,
Thalaimuthunagar Police Station,
Thoothukudi District.
(Crime No.718 of 2016)

2.The Deputy Superintendent of Police,
Thoothukudi Police,
Thoothukudi.

:Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned II Additional District Sessions Judge (PCR Court), Tirunelveli, to consider the bail application of the petitioner on the same day of his surrender before that court in connection with Crime No.718 of 2016 on the file of the 1st respondent police.

For Petitioner	: Mr.V.Malaiyendran
For Respondents	: Mr.A.P.Balasubramani Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the II Additional District and Sessions Judge (PCR Court), Tirunelveli, to accept the surrender of the petitioner and to consider their bail application on the same day in connection with Crime No.718 of 2016 on the file of the 1st respondent police.

2.The learned counsel for the petitioners has submitted that the petitioner has been falsely implicated for the alleged offences under Sections 323, 498(A) IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Act POA Amendment Ordinance Act, 2014, in Crime No.718 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 petitioner has come forward with the present petition for the said prayer.

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



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 Court), 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 Court), 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(CS-II)

/True Copy/

Sub Assistant Registrar(CS)

To:

1. The Inspector of Police,
Thalaimuthunagar Police Station,
Thoothukudi District.

2. The Deputy Superintendent of Police,
Thoothukudi Police,
Thoothukudi.

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

+1cc to M/s.V.Malaiyendaran, Advocate in SR.1003

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er.

PBK/MPA-EM/SAR-I 09/01/2017 ::2P-5C: