



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.2808 of 2017

1.Mani @ Urudamani
2.Saravanan @ Saravanakumar

: Petitioners

Vs.

1. The Deputy Superintendent of Police,
Puliyankudi Division,
Tirunelveli District.

2. The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District.
(In Crime No.87 of 2017)

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Learned II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider their bail application on the same day of their surrender in respect of Crime No.83 of 2017 on the file of the respondent, pending investigation.

For Petitioners	: Mr.D.Venkatesh
For Respondents	: Mr.A.P.Balasubramani, 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 II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider the bail application on merits on the same day of their surrender, in Crime No.83 of 2017 pending on the file of the respondent police.

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, 341, 294(b), 323, 355 of the Indian Penal Code r/w 3(1)(r), 3 (1)(s) and 3 (2)(va) of SC/ST (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 (Criminal side) takes notice for the respondents, who would submit that the injured have 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 petitioners are directed to surrender before the learned II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli in respect of Crime No.83 of 2017 on the file of the respondent police, within two weeks from the date of receipt of a copy of this order and on the petitioners' surrender and filing bail application in Crime No.83 of 2017, the learned II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, in turn, is directed to accept their surrender and consider their bail application on merits and in accordance with law on the same day.

5. With the above direction, this petition is disposed of.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The II Additional District and Sessions Judge
(Special Court for PCR Cases),
Tirunelveli
2. The Deputy Superintendent of Police,
Puliyankudi Division,
Tirunelveli District.
3. The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.D.VENKATESH, ADVOCATE IN SR No. 15004

MR/RR

TE/RSK/SAR-IV : 28/03/2017 : 2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

Order made in
Crl.O.P. (MD) No.2808 of 2017
Dated: 14.03.2017