



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3095 of 2017

1.V.Santhanam
2.Ram @ Ramkumar
3.Suriya Narayanan
4.Ganapathy
5.Moorthy
6.Arumugam

: Petitioners/Accused 1 to 6

Vs.

The Inspector of Police
Nazareth Police Station
Tuticorin District
(Crime No.33 of 2017)

: Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned IInd Additional District Judge, Tirunelveli, to consider the petitioners' bail petition on merits upon the petitioners' surrender before the said Court and enlarge the petitioners' on bail on the same day according to the law in Crime No.33/2017 on the file of the respondent police.

For Petitioners : Mr.G.Radhakrishnan
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 learned II Additional District Judge, Tirunelveli, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.33/2017 pending investigation 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, 148, 448, 294(b), 307 and 506 (ii) of IPC and Section 4 of TNPHW Act r/w 3(i)(x) of the SC/ST (Prevention of Atrocities), Act 1989 and that in view of the services provided by the petitioners 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 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 petitioners are directed to surrender before the learned Second Additional District Judge, Tirunelveli, in respect of Crime No.33 of 2017 on the file of the second 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. 33 of 2017 the learned Second Additional District Judge, 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(Records)

/True Copy/

Sub Assistant Registrar

To

1. The Second Additional District Judge,
Tirunelveli.

2. The Inspector of Police
Nazareth Police Station
Tuticorin District

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

+1cc to Mr.G.Radhakrishnan,Advocate,SR.15915

Order made in
Cr1.O.P.(MD)No.3095 of 2017
20.03.2017

RR

KK-RSK-SAR2-28.03.2017-2P-5C