



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2017

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WEB COPY

THE HON'BLE MR.JUSTICE B.GOKULDAS

Cr1.O.P.(MD).No.329 of 2017

1.Kannan @ Allal Kathan
2.Essakiammal
3.Ramaiah Thevar
4.Ulagammal

... Petitioners/Accused Nos.1 to 4

Vs

State rep. by,
1. The Deputy Superintendent of Police,
Cheranmagadevi Division,
Cheranmagadevi,
Tirunelveli District.

2. The Inspector of Police,
Munneerpallam Police Station,
Munneerpallam,
Tirunelveli District.
In Cr.No.336 of 2016

... Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the II-Additional District and Sessions Judge (PCR Court), Tirunelveli, under the SC/ST Act to consider the bail application on the surrender of the petitioners in connection with Crime No.336 of 2016, pending investigation on the file of the Respondents on merits on the same day.

For Petitioner : Mr.M.Sathiamoorthy
For Respondents : Mrs.S.Prabha
Government Advocate (Cr1. Side)

O R D E R

The petitioner seeks a direction to the learned II-Additional District and Sessions Judge (PCR Court), Tirunelveli, to consider the bail application of the petitioner on the day of surrender itself.

<https://hcservices.courts.gov.in/hcservices/>
2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Cr1. Side) appearing for the



respondents.

3. The petitioners are arrayed as accused Nos.1 to 4, in Crime No.336 of 2017, for the offences punishable under Sections 341, 294(b), 323, 506(ii) of I.P.C., and Section 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, and that in view of the specific bar contained in Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.

4. The learned Government Advocate (Crl. Side) would submit that the injured person had already been discharged from the hospital.

5. Considering the facts and circumstances of the case, the petitioners are directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.336 of 2016 and consider the bail application of the petitioners and dispose of the same on merits and in accordance with law, on the same day of their surrender.

6. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The II-Additional District and Sessions Court (PCR Court),
Tirunelveli.
2. The Deputy Superintendent of Police,
Cheranmagadevi Division, Cheranmagadevi, Tirunelveli District.
3. The Inspector of Police,
Munneerpallam Police Station,
Munneerpallam, Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to M/s.M.Sathiyamoorthy, Advocate in SR.No. 2100

Crl.O.P.(MD) No. 329 of 2017

11.01.2017