



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3567 of 2017

1.K.Geetha

2.Selvakumar

: Petitioners/Accused Nos.1&2

Vs.

State through the
Inspector of Police,
Suchindram Police Station,
in Cr.No.19 of 2017.

: Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Second Additional District and Sessions Judge (PCR) Court, Tirunelveli, to accept the surrender of the petitioners in Crime No.19 of 2017 on the file of the respondent/Inspector of Police, Suchindram Police Station, and consider the bail application filed by the petitioners on the same day on merits and in accordance with law.

For Petitioners

: Mr.H.Elango

For Respondent

: 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 Second Additional District and Sessions Judge (PCR) Court, Tirunelveli, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.19 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 294(b), 323 and 506(i) of the Indian Penal Code r/w Sections 3(1)(r) and 3(1)(s) of Scheduled Castes and Scheduled Tribes (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 respondent and submits that the injured has been discharged from the hospital. He further submits that there is no previous case against these petitioners.

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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 and Sessions Judge (PCR) Court, Tirunelveli, in respect of Crime No.19 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.19 of 2017, the learned Second Additional District and Sessions Judge (PCR) Court, 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 Second Additional District and Sessions Judge
(PCR) Court, Tirunelveli.

2. The Inspector of Police,
Suchindram Police Station

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

+1cc to M/s.H.ELANGO Advocate in SR. No.17904

SML

JS/MR/SAR.2/2P-5C/28.03.2017

Order made in

Cr1.O.P. (MD) No.3567 of 2017

Dated: 27.03.2017