



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.4341 of 2017

1.Thiraviam

2.Nathan

3.Sathish @ Sathishkumar

4.Vignesh

: Petitioners/Accused 3,5,6,8

Vs.

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

2.The Inspector or Police,
Pazhavor Police Station,
Tirunelveli District.

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the 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.70 of 2017 on the file of the respondent.

For Petitioners : M/s.D.Venkatesh

For Respondents : Mr.K.Anbarasan

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 their bail applications on the same day of their surrender in respect of Crime No.70 of 2017 on the file of the second respondent.

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, 294(b), 323, 324 and 506 (ii) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities), Amendment Act 2015 and that in view of the provisions 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.

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 II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, in respect of Crime No.70 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.70 of 2016 the 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 (CS I)

/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,
Valliyoor Division,
Tirunelveli District.

3. The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.

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

+1cc to Mr.D.Venkatesh, Advocate, SR.51672

Order made in

Cr1.O.P. (MD) No.4341 of 2017

Dated: 12.04.2017

MRN/RR

kk/SKN-RSK/SAR2-13.04.2017-2P-6C

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