



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.04.2017
CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.4838 of 2017

WEB COPY

1.M.Suresh

2.Navaneethagopalakrishnan @ Gopal

3.Paramasivan : Petitioners/Accused Nos.2 to 4

Vs.

1.The State represented by
Deputy Superintendent of Police,
Alangulam,
Tirunelveli District.

2.The Inspector of Police,
Alangulam Police Station,
Tirunelveli District.
(Crime No.94 of 2017)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the II Additional Sessions Judge, (PCR Court) Act Cases, Tirunelveli, Tirunelveli District to consider the petitioners Bail application on merits on the date of surrender on the same day in Crime No.94 of 2017 for offences under Sections 147,294(b), 323, 506(ii) of the Indian Penal Code r/w 3(1)(r), 3(2) VA of SC/ST Act(POA) Amendment Act 2015 on the file of the Inspector of Police, Alangulam Police Station, Tirunelveli District.

For Petitioners : Mr.K.Esakki
For Respondents : Mr.K.Anbarasan
Government Advocate (Crl.side)

O R D E R

The learned counsel for the petitioners submit that the petitioners have come forward with this petition seeking for a direction to the II Additional Sessions Court, (PCR Court) Act Cases, Tirunelveli, Tirunelveli District to consider the Bail application on the same date of surrender in Crime No.94 of 2017 on the file of the second respondent police.



2. The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294(b), 323, 506(ii) of IPC and Section 3(1)(r), 3(2)(va) of the SC/ST (Prevention of Atrocities), Amendment Act 2015 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.

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 Sessions Court, (PCR Court) Act Cases, Tirunelveli, Tirunelveli District, in respect of Crime No.94 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.94 of 2017 the II Additional Sessions Court, (PCR Court) Act Cases, Tirunelveli, Tirunelveli District, in turn, is directed to accept their surrender and consider their bail applications on merits and in accordance with law on the same day.

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The II Additional Sessions Judge, (PCR Court) Act Cases, Tirunelveli.

2. The Deputy Superintendent of Police, Alangulam, Tirunelveli District.

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

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

+1cc to M/s.K.Esakki.Advocate, sr no.53503