



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE **P.N.PRAKASH**

Crl.O.P.(MD)No.4984 of 2017

WEB COPY

1.Thangaraj

2.Malaiyandi

: Petitioners/Accused No.1 & 2

Vs.

1.The Deputy Superintendent of Police,
Vilathikulam,
Tuticorin District.

:1st Respondent/Investigating Officer

2.State through the Inspector of Police,
Ettayapuram Police Station,
Tuticorin District.
(Crime No.124/2017)

: 2nd Respondent/Complainant

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 (PCR Court), Tirunelveli to consider and pass orders on the bail application of the petitioners on the same day in Crime No.124 of 2017 on the file of the 2nd respondent police.

For Petitioners
For Respondents

: Mr.R.Rajamohan
: Mr.A.R.Balasubramani
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 District and Sessions Judge (PCR Court), Tirunelveli to consider the Bail application of the petitioners on the same date of surrender in Crime No.124 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 294(b), 324, 506(ii) of IPC and Sections 3(1)(r), 3(1)(s)/3(1)s 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 application for bail application and therefore, the petitioners have come forward with the said prayer.



3.Today, Mr.V.Muthu Krishnan, Special Inspector of Police, Ettayapuram Police Station, Tuticorin is present before this Court.

4.The learned Government Advocate (Criminal side) takes notice for the respondents and submitted that the injured has been discharged from the hospital. He further submitted that there is no previous case as against the petitioners.

5.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 (PCR Court), Tirunelveli, in respect of Crime No.124 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.124 of 2017, the II 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.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The II Additional District and Sessions Judge (PCR Court), Tirunelveli.
2. The Deputy Superintendent of Police, Vilathikulam, Tuticorin District.
3. The Inspector of Police, Ettayapuram Police Station, Tuticorin District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.R.RAJAMOHAN, Advocate SR.No.53643

Order made in
Crl.O.P. (MD) No.4984 of 2017
Dated:24.04.2017