



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.01.2017

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.825 of 2017

1.Subramaniyan
2.Subash
3.Subramaiyan @ Siva subramanian
4.Vijayakumar
5.Sakthi @ Sakthivel

.. Petitioners/A2 to A6

Vs

The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.
(Cr.No.7 of 2017)

.. Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned II-Additional District and Sessions Judge (PCR Court), Tirunelveli to accept the surrender the Petitioners and consider their bail application on the same day on merits in relating to Crime No.7 of 2017, on the file of the Inspector of Police, Kalakkad Police Station, Tirunelveli District.

For Petitioner : Mr.S.R.A.Ramachandran

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the II-Additional Sessions Judge PCR Court, Tirunelveli, to consider the bail application on the same day of the petitioners' surrender in connection with Crime No.7 of 2017, on the file of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent and perused the materials available on record.

3. In respect of the offences punishable under the provisions of Scheduled Castes and Scheduled Tribes Act, the Deputy Superintendent of Police of the particular jurisdiction alone is the investigating officer. But in the present case, the Deputy Superintendent of Police concerned has not been made as a party respondent. Instead, the Inspector of Police, Kalakkad Police Station, Tirunelveli District, who is not a competent person, has been made as a party. Therefore, this Criminal Original Petition is liable to be dismissed.



4. In the result, this Criminal Original Petition is dismissed. However, liberty is given to the petitioner to file fresh application.

Sd/-
Assistant Registrar

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/TRUE COPY/

Sub Assistant Registrar

To

1.The II Additional District and Sessions Judge,
(PCR Court)
Tirunelveli.

2.The Inspector of Police
Kalakkad Police Station,
Tirunelveli District.

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

PJL
sva/sv/mms/20.02.2017/2p/4c

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