



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.12150 of 2016

1.Suriya
2.Mani

.. Petitioners/Accused No.2 & 3

Vs.

The State rep. by

1.The Deputy Superintendent of Police
Manamadurai, Sivagangai District

2.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District
(Crime No. 348 of 2016)

.. Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Special Judge for SC/ST(Prevention of Atrocities) Act/3rd Additional District & Sessions Judge (PCR Unit) **(*) Sivagangai** to consider the bail application of the petitioners on the same day of their surrender in Crime No.348 of 2016 on the file of the respondent police.

For Petitioner : Mr.S.Madhankumar
For respondents : Mr.A.P.Balasubramani
Government Advocate (Criminal side)

ORDER

This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3.The petitioners are arrayed as accused Nos.2 & 3 in Crime No.348/2016 in respect of the offences under Sections 147, 294(b), 506(i) IPC and r/w 3 (1)(r)(s) of SC/ST (POA) Act and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and the petitioners have come forward with the said prayer.

<https://hcdcasecourt.gov.in/hcdcases/>

4.Learned Government Advocate (Crl. Side) takes notice for the



respondent and submits, on instructions, that nobody got injured and no weapon is used and the investigation is almost completed.

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 3rd Additional District and Sessions Judge (PCR Unit), **(*) Sivagangai**, is directed to accept the surrender of the petitioners and consider their bail application, in the event of the petitioners filing such petition in Crime No.348/2016 on the file of the respondent police and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/
Assistant Registrar(T&P)

**(*)Corrected as per the order
of this Court dated 16.08.2016
made in Cr1 MP(MD).No.6859/16
in Cr1.OP.(MD).12150/16**

/True Copy/

Sub Assistant Registrar.

To

To be substituted for the order already despatched on 22.07.2016.

- 1.The 3rd Additional District and Sessions Judge (PCR Unit),
Sivagangai
- 2.The Deputy Superintendent of Police
Manamadurai, Sivagangai District
- 3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1CC to M/S.S.Madha Kumar, Advocate, SR.No. 45486

Cr1.O.P(MD)No.12150 of 2016
20.07.2016

RR

<https://hcservices.ecourts.gov.in/hcservices/>
AM/NOH-MP/SAR-11/22.07.2016/2P/6C
SMA/AAL-MPA/24/08/2016 :2P/6C