



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2016

CORAM:

WEB COPY

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P. (MD) .No.15367 of 2016

1.Avvainathan

2.Mahesh @ Maheswaran

3.Prabhakar @ Prabhakaran .. Petitioners/Accused No.1 to 3

Vs.

The State rep. by its
The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.
Crime No.157/2016

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned 1st Additional District and Sessions Judge cum PCR Court Thanjavur to accept the surrender of the Petitioners and to consider their bail application on the same day in connection with the crime No. 157 of 2016 on the file of the respondent police.

For Petitioner : Mr.S.Vinayak
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 petitioners and the learned Government Advocate (Cr1. Side) for the respondents.

3.The petitioners are arrayed as accused Nos.1 to 3 in Crime No.157/2016 in respect of the offences under Sections 147, 148, 294 (b), 324, 506(ii) IPC and Section 3(1) of TNPPDL Act r/w 3 (1)(r), 3 (1)(s), 3(2)(va) 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 therefore, the petitioners

have come forward with the said prayer.

4.Learned Government Advocate (Crl. Side) takes notice for the respondent and submits, on instructions, that the injured has been discharged from the hospital and 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 1st Additional District and Sessions Judge cum PCR Court Thanjavur, is directed to accept the surrender of the petitioners and consider their bail applications, in the event of the petitioners filing such petition in Crime No.157/2016 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 (W)

/True Copy/

Sub Assistant Registrar

To

1. The 1st Additional District and Sessions Judge cum PCR Court Thanjavur
2. The Inspector of Police,
Sengipatti Police Station,
Thanjavur District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.S.VINAYAK, ADVOCATE IN SR No. 46065

RR

TE/DB/SAR-W : 23/08/2016 : 2P/5C (IT)

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