



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.15748 of 2016

1.Sankar @ Karuppaiyan

2.Surentharan

3.Mahindran ..Petitioners/Accused Nos.1,3 & 4

Vs.

The Inspector of Police,
Pattukottai Police Station,
Thanjavur District
Crime No.208/2016

.. 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(PCR Court) Thanjavur to consider the bail application on same day on his surrender in connection with Crime No.208 of 2016 on the file of the respondent police.

For Petitioners : Mr.D.R.Murugesan
For respondent : 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.1, 3 and 4 in Crime No.208 /2016 in respect of the offences under Sections 147, 148, 294(b), 342, 323, 324 IPC r/w Section 3 (1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment 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.

<https://hcservices.ecourts.gov.in/hcservices/>

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 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 petitioner cannot move any anticipatory bail, the 1st Additional District and Sessions Judge (PCR Court) Thanjavur, 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.208/2016 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

/True Copy/

Sub Assistant Registrar.

To

1. The 1st Additional District and Sessions Judge (PCR Court)
Thanjavur

2. The Inspector of Police,
Pattukottai Police Station,
Thanjavur District

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

+1CC to M/S. D.R. Murugesan, Advocate, SR.No. 47539

Cr1.O.P (MD) No.15748 of 2016
26.08.2016

RR
AM/SK.SKN/SAR-III/06.09.2016/2P/5C