

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 30.08.2016****CORAM:****THE HONOURABLE Dr. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.16020 of 2016**

1.Anbuchelian

2.M.Raj

.. Petitioners

Vs.

1.The Deputy Superintendent of Police
Sivakasi, Virudhunagar District2.The Deputy Superintendent of Police
Perur, Coimbatore District3.The Inspector of Police,
Sivakasi Town Police Station,
Sivakasi, Virudhunagar District4.The Inspector of Police
Kinathukadu Police Station
Coimbatore District

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Principal District and Sessions Judge, Virudhunagar at Srivilliputhur (PCR) to accept the Surrender and consider the bail petition filed by the petitioner on the same date in accordance with the law in Crime No.598/2016 on the file of the 3rd respondent police.

For Petitioner : Mr.S.M.Anantha Murugan

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 and 2 in Crime No.598/2016 in respect of the offences under Sections 292, 501 IPC r/w 3 (1)(v) of SC/ST (POA) Amendment Act, 2014 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 investigation has been transferred to the third respondent 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, Principal District and Sessions Judge, Virudhunagar, 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.598/2016 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 (CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal District and Sessions Judge,
Virudhunagar at Srivilliputhur
- 2.The Deputy Superintendent of Police
Sivakasi, Virudhunagar District
- 3.The Deputy Superintendent of Police
Perur, Coimbatore District
- 4.The Inspector of Police,
Sivakasi Town Police Station,
Sivakasi, Virudhunagar District
- 5.The Inspector of Police
Kinathukadu Police Station
Coimbatore District
- 6.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 cc to MR.S.M.ANANTHA MURUGAN, Advocate SR.No.48330

Crl.O.P(MD)No.16020 of 2016
30.08.2016