



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.17382 of 2016

1.Ganesan
2.Periasamy

.. Petitioners/A1 and A3

Vs

1.The Deputy Superintendent of Police,
Mudhukulathur,
Ramanathapuram District.

2.The Inspector of Police,
Keelathural Police Station,
Ramanathapuram,
Ramanathapuram District.

.. Respondents/complainants

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the learned Principal District and Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Ramanathapuram District to accept the surrender of the petitioners and consider the petitioners bail application and grant bail on the date of surrender itself in connection with a criminal case in Special S.C.No.30 of 2013 in Crime No.87 of 2009 on the file of the second respondent police.

For Petitioners : Mr.J.Lawrance

For Respondents : Mr.K.Anbarasan

Government Advocate (Crl. Side)

O R D E R

This petitioners seek a direction to the learned Principal District and Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Ramanathapuram District to accept the surrender of the petitioners and consider their bail application and grant bail on the date of surrender itself in connection with a criminal case in Special S.C.No.30 of 2013 in Crime No.87 of 2009 on the file of the second respondent police.

2. The petitioners are accused for the offences punishable under Sections 341, 325, 307 and 109 IPC read with Section 3(i)(x) (2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



3. Learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in the case due to previous motive 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 up with this petition.

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent.

5. Learned Government Advocate (Crl. Side) would submit that non-bailable warrant against the accused persons has been pending from 13.04.2016.

6. Considering the facts and circumstances of the case and also the nature of allegations against the petitioners and offences committed by them, the petitioners are directed to pay a sum of Rs.5000/- each, to Tamil Nadu Harijan Sevak Sangh, N.M.R. Subbaraman Memorial Residential Primary School Campus, 12, Dr. Thangaraj Road, Vinayaga Nagar, Opposite to Madurai Law College, Madurai-20, within a period of one week from the date on which the order copy is made ready and produce the evidencing the payment of donation before the Court concerned within **ten days** from the date on which the order copy is made ready and file bail application. The Court concerned is directed to accept the surrender of the petitioners in connection with Special S.C.No.30 of 2013 in Crime No.87 of 2009 on the file of the second respondent police and consider the bail application of the petitioners and dispose of the same on merits and in accordance with law, on the same day of their surrender.

7. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

PJL

To:

1. The Principal District and Sessions Judge,
(Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act Cases.)
Ramanathapuram District.

2. The Deputy Superintendent of Police,
<https://hcservices.ecourts.gov.in/hcservices/>
Madhukulathur,
Ramanathapuram District.



3.The Inspector of Police,
Keelathural Police Station,
Ramanathapuram,
Ramanathapuram District.

4.Tamil Nadu Harijan Sevak Sangh
N.M.R.Subbaraman Memorial Residential Primary School Campus,
12, Dr.Thangaraj Road,Vinayaga Nagar,
Opposite to Madurai Law College,
Madurai-20.

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

+1 cc to Mr.J.LAWRANCE,Advocate, Sr.No: 53447

JAM/SK-SKN/20.09.16/ SAR III/3P-7C

Cr1.O.P. (MD) No.17382 of 2016
19.09.2016