



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P. (MD) .No.17835 of 2016

1.Sudhakar
2.Bose @ Bojan @ Balamuruganantham .. Petitioners/
Accused Nos.1 and 2

Vs.

State rep. By
The Inspector of Police,
Thandigudi Police Station,
Thandigudi, Dindigul District,
(Crime No.145 of 2016) .. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Learned Principal District and Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Dindigul District to accept the surrender of the petitioners and consider the petitioners bail application and grant bail on the date of surrender itself in Crime No.145 of 2016, dated 31.08.2016 on the file of the respondent.

For Petitioners	: Mr.K.Seemaraj
For respondent	: Mr.K.Anbarasan 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 respondent.

3.The petitioners are arrayed as accused in Crime No.145/2016 in respect of the offences under Sections 294(b), 323 of IPC @ 294 (b), 323 of IPC and Section 3(i)(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 therefore, the petitioners have come forward with the said prayer.



4.The learned Government Advocate (Crl. Side) would submit that the injury is of simple in nature.

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 Principal District and Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Dindigul, is directed to accept the surrender of the petitioners and consider their bail applications, in the event of the petitioners filing such petitions in Crime No.145/2016 on the file of the respondent police and dispose of the same on merits and in accordance with law on the same day.

6.This petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

- 1.The Principal District and Sessions Judge,
(Special Court for Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989, Dindigul
- 2.The Inspector of Police,
Thandigudi Police Station,
Thandigudi,Dindigul District,
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1cc M/s.K.Seemaraj,Advocate SR.No. 57231

am

JA-SS-2-SAR-2/4.10.2016-2P:5C

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29.09.2016