



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.18258 of 2016

1.R.Rajkumar
2.Ezhil @ Ezhilarasan
3.Raghu @ Raghuraman
4.R.Poobalan

.. Petitioners/A1,A3,A5&A6

Vs

State represented by
The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
(Crime No.330 of 2016)

.. Respondent/complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the learned I-Additional District and Sessions Judge, (Protection of Civil Rights), Thanjavur, to accept the petitioners' surrender and consider bail application to be filed by the petitioners on the same day on merits in Crime No.330 of 2016 on the file of the respondent police.

For Petitioners : Mr.M.Michael Bharathi
For Respondent : Mr.K.Anbarasan
Government Advocate (Crl. Side)

O R D E R

The petitioners seek a direction to the learned I-Additional District and Sessions Judge, (Protection of Civil Rights), Thanjavur, to consider the bail application on the day of surrender itself.

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

3. The petitioners are arrayed as A1,A3,A5 and A6 in Crime No.330 of 2016 for the offences punishable under Sections 147, 294 (b) and 323 IPC read with Section 3(1)(r) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any application for bail and therefore, the petitioners have come up with this petition.



4.The learned Government Advocate (Crl. Side) would submit that the injured person had already been discharged from the hospital.

5.Considering the facts and circumstances of the case, the petitioners are directed to surrender before the Court concerned within **ten days** from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.330 of 2016 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.

6.This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The I-Additional District and sessions Judge,
(Protection of Civil Rights), Thanjavur.

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

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

+1 cc to M/s.V.Sasikumar, Advocate in SR.No.55256

PJL

CSL/PV/SAR-I/30.09.2016:2P/5C

Crl.O.P.(MD) No.18258 of 2016
23.09.2016