



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.18392 of 2016

1.Elangovan

2.Gouthaman @ Goutham Raj

3.Kishor

4.Meganathan

.. Petitioners/Accused 1 to 4

Vs.

1.The Deputy Superintendent of Police,
Thiruvidaimaruthur,
Thanjavur District.

2.State, rep. By
Inspector of Police,
Thiruneelakudi Police station,
Thanjavur District.
(Cr.No.273/2016)

.. Respondents/Complainants

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned I Additional District & Sessions Judge (PCR Court), Thanjavur to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.273 of 2016, dated 16.09.2016, on the file of the respondent police.

For Petitioner : Mr.S.Rajaprabu

For respondents : 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 petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3.The petitioner is arrayed as accused in Crime No.273/2016 in respect of the offences under Sections 147, 148, 294(b), 324, 336, 506(ii) IPC and Section 3(1)(r)(s), 3(2)(v-a) of SC/ST (POA) Act, 2015 and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application. Therefore, the petitioners have come forward with the said prayer.



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

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 I Additional District & 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.273/2016 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(CO)

/True Copy/

Sub Assistant Registrar

To

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

2.The Deputy Superintendent of Police,
Thiruvidaimaruthur,
Thanjavur District.

3.The Inspector of Police,
Thiruneelakudi Police station,
Thanjavur District.

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

+1cc to M/s.S.Rajaprabu, Advocate SR.No.55548

Crl.O.P(MD)No.18392 of 2016

26.09.2016

am

SD/SKS-RR/06.10.2016/2P/6C