



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P. (MD) .No.18756 of 2016

1.Rajkumar
2.Rajasekar
3.Ramar
4.Dinesh

.. Petitioners/Accused
Nos.1,3,4,5

Vs.

State rep. By
The Inspector of Police,
Abiramam Police Station,
In Cr.No.148 of 2016
Ramanathapuram District.

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Principal District and Sessions Judge (PCR) Court, Ramanathapuram, Ramanathapuram District to accept the surrender of the petitioners and consider their bail application on the date of surrender in Cr.No.148 of 2016, on the file of the respondent police.

For Petitioners	: Mr.B.Jameel Arasu
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 respondents.

3.The petitioners are arrayed as accused in Crime No.148/2016 in respect of the offences under Sections 147, 294(b), 323, 341 and 506(i) of IPC r/w 3(1)(r)(s) 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 this is a case and case in counter and 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 Principal District and Sessions Judge (PCR) Court, Ramanathapuram, Ramanathapuram District, 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.148/2016 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-II)

/True Copy/

Sub Assistant Registrar (CS)

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To

1.The Principal District and Sessions Judge (PCR) Court,
Ramanathapuram, Ramanathapuram District

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

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

+1CC to Mr.B.Jameel Arasu, Advocate Sr.No.57113

GJM/GSV/PM/SAR-I-3.10.2016 -2p-5c

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