

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 21.10.2016****CORAM:****THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM****Cr1.O.P. (MD) .No.20261 of 2016**

1.Pandi

2.Arul

.. Petitioners/Accused Nos.1&amp;2

Vs.

1.The Deputy Superintendent of Police,  
Thirumangalam,  
Madurai District.

2.The Sub-Inspector of Police,  
E4 Sindhupatti Police Station,  
Thirumangalam Taluk,  
Madurai District.  
(Crime NO.13 of 2016).

.. Respondents/Complainants

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Sessions Judge (Special PCR Court), Madurai District on consider their bail application filed by the petitioners on the same day of surrender in Crime No.13 of 2016, on the file of the Sub-Inspector of Police, E4 Sindhupatti Police Station.

For Petitioners : Mr.M.Mahendran

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 petitioners and the learned Government Advocate (Cr1. Side) for the respondent.

3.The petitioners are arrayed as accused in Crime No.13/2016 in respect of the offences under Sections 294(b), 323 of IPC and r/w 3(1)(x) of SC/ST 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 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 Sessions Judge (Special PCR Court), Madurai District, 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.13/2016 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 (Records)

/True Copy/

Sub Assistant Registrar

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To

1.The Sessions Judge (Special PCR Court),  
Madurai District.

2.The Deputy Superintendent of Police,  
Thirumangalam, Madurai District.

3.The Sub-Inspector of Police, E4 Sindhupatti Police Station,  
Thirumangalam Taluk, Madurai District.

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

+1CC to Mr.M.Mahendran, Advocate Sr.No.62695

GJM/ CK/SAR-3-24.10.16-2p-6C

Crl.O.P(MD)No.20261 of 2016  
21.10.2016