



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Cr1.O.P.(MD) No.22995 of 2016

1.Shanmugasundaram
2.Raja
3.Vignesh @ Vigneshwaran
4.Sathish
5.Rajesh

... Petitioners/A1 to A5

-vs-

State rep. by
The Inspector of Police,
Koradaracheri Police Station,
Thiruvarur District.
Crime No.405/16

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the **(*)I** Additional District and Sessions Judge (PCR Court), Thanjavur District to consider the bail application on the same day on their surrender in connection with Crime No.405 of 2016 on the file of the respondent police.

For Petitioners	: Mr.S.Venkatesan
For Respondent	: Mr.A.P.Balasubramanian
	Govt. Advocate (Cr1.Side)

O R D E R

This petition has been filed, seeking to direct the learned **(*)I** Additional District and Sessions Judge (PCR Court), Thanjavur District to consider the bail application of the petitioners/A1 to A5 on the same day of their surrender in connection with the case in Crime No.405 of 2016 pending on the file of the respondent police.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 147, 294(b), 352 and 342 IPC r/w Section 3 (1)(r), 3(2)(Va) of S.C. & S.T. (Prevention of Atrocities) Act, in Crime No.405 of 2016 and that in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come forward with the present petition for the said prayer.

3.The learned Government Advocate (Cr1.Side) takes notice



for the respondent and submits that in this case, no one has sustained injury.

4. Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

WEB COPY The petitioners are directed to surrender before the learned (*)I Additional District and Sessions Judge (P.C.R. Court), Thanjavur District, within fifteen days from today and if they filed any bail application in this crime number, learned (*)I Additional District and Sessions Judge, (PCR Court), Thanjavur District, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/-
09.12.2016

**(*) Amended as per order
of the Hon'ble Court
dated 01.12.2017 made
in Cr1.MP(MD).154/2017**

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

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To:

To Substituted order copy already dispatched on 20.12.2016

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

2.The Inspector of Police,
Koradaracheri Police Station,
Thiruvarur District.

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

+1cc to Mr.S.Venkatesan, Advocate Sr.No. 80648

+1 cc to MR.T.SEKAR, Advocate SR.No.5469

JAM/20.12.16/SS 3/SAR 1/2p-5c