

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.09.2017****CORAM:****THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN****Cr1.O.P. (MD) .No.12681 of 2017**

1.Sundararaj @ Sundarasamy

2.Subbulakshmi

.. Petitioners

Vs.

1. The Deputy Superintendent of Police,
Oddanchatram Division,
Dindigul District.

2. The Inspector of Police,
Kallimandiyam Police Station,
Dindigul District.
(Crime No.159 of 2017)

3.Theivanai

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District & Sessions Judge (Special Court for PCR Cases), Dindigul to consider their bail application on the same day of their surrender in respect of Crime No.159 of 2017 on the file of the 2nd respondent pending investigation.

For Petitioner : Mr.D.Venkatesh

For respondents : Mr.C.Ramesh
Additional Public Prosecutor

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 Additional Public Prosecutor for the respondents.

3.The petitioners are arrayed as accused in Crime No.159 of 2017 in respect of the offences under Sections 294 (b), 341, 376, 506(ii) IPC r/w 3(1)(r) 3(1) (s) of SC / ST Act, 1989 and that in



view of the specific bar under Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioners have come forward with the said prayer.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case and in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the Principal District & Sessions Judge (Special Court for PCR Cases), Dindigul, 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.159 of 2017 on the file of the respondent police and dispose of the same on merits and in accordance with law on the same day.

5. This petition is disposed of accordingly.

Sd/-

Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Principal District & Sessions Court,
(Special Court for PCR Cases),
Dindigul
2. The Deputy Superintendent of Police,
Oddanchatram Division,
Dindigul District.
3. The Inspector of Police,
Kallimandiyam Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.D.Venkatesh , Advocate in SR No.81344

mm

AE/JC/SAR3/04.10.2017/2P/6C