



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

CRL.O.P. (MD) No.12962 of 2017

WEB COPY

1.K.Maniyan

2.K.Chinnappan @ Chinna Gounder : Petitioners/Accused No.1 and 2
-Vs-

1.State represented by
The Deputy Superintendent of Police,
Ottanchatram, Dindigul District.

2.The Inspector of Police,
Kallimantham Police Station,
Dindigul District.

(Crime No.158 / 2017)

: Respondents 1& 2 /Complainants

3.Marimuthu

:3rd Respondent/Defacto
-complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the learned Principal District Sessions Judge, (PCR Court), Dindigul, to consider the bail application of the petitioners/Accused to be filed in Crime No.158 of 2017 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners : Mr.R.Jegadeeswaran

For R.1 & R.2 : Mr.A.Ramar

Additional Public Prosecutor (Crl.Side)

O R D E R

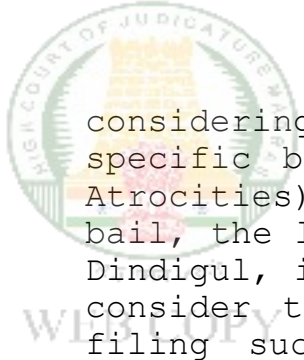
This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Crl. Side) for the 1st and 2nd respondents.

3.The petitioners are arrayed as accused in Crime No.158/2017 in respect of the offences under Sections 147, 342, 323 IPC read with 3 (1) (S) of SC/ST Act 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.

<https://hcservices.ecourts.gov.in/hcservices/>

4.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 learned Principal District and Sessions Judge, (PCR Court) 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.158/2017 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 Judge, (PCR Court),
Dindigul.
- 2.The Deputy Superintendent of Police,
Ottanchatram, Dindigul District.
- 3.The Inspector of Police,
Kallimanthyam Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Jegadeeswaran Advocate in SR. No. 81452

DAS/AM/TA
JS/JC/SAR.2/4.10.2017/2P-6C

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