



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.12999 of 2017

WEB COPY

1.Mani
2.Aruna

: Petitioners/Accused No.1 and 3

-Vs-

State represented by

1.The Deputy Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

2.The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
(Crime No.582 / 2017)

: Respondents 1 & 2/Complainants

3.Ganesamoorthi

:Respondent No.3/Defacto-complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the learned Principal District and Sessions Judge, Ramanathapuram (PCR) Act Cases, to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.582/2017 on the file of 2nd respondent.

For Petitioners : Mr.M.Subash Babu

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 & 2nd respondents.

3.The petitioners are arrayed as accused in Crime No.582/2017 in respect of the offences under Sections 294(b), 323 of IPC read with Section 3(1)(x) of SC/ST (Prevention of Atrocities) Amendment Act 2015 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. 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 petitioner cannot move any anticipatory bail, the learned Principal District and Sessions Judge (PCR Cases), Ramanathapuram, 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.582/2017 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/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge, (PCR) Act Cases, Ramanathapuram.
2. The Deputy Superintendent of Police, Ramanathapuram, Ramanathapuram District.
3. The Inspector of Police, Kenikarai Police Station, Ramanathapuram District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.M.SUBASH BABU, Advocate SR.No.81213

das/am/ta
MAS/SKN-RSK/SAR1:04.10.2017:2P-6C

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