



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.13056 of 2017

WEB COPY

1.Kalaivanan
2.Boopathi
3.Subramanian
4.Vijay

: Petitioners/Accused Nos.1, 3, 4, 5

-Vs-

State represented by

1.The Deputy Superintendent of Police,
Jiyapuram, Trichy District.

2.The Inspector of Police,
Manacahnallur Police Station,
Trichy District.
(Crime No.308 / 2017)

: Respondents 1&2 /Complainants

3.Mariyappan

:Respondent No.3/Defacto-complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the I Additional District Judge Cum PCR Court, Trichy, to consider the bail application of the petitioners on the same day of their surrender in Crime No.308 of 2017, on the file of the 2nd respondent police.

For Petitioners : Mr.Azhageson

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

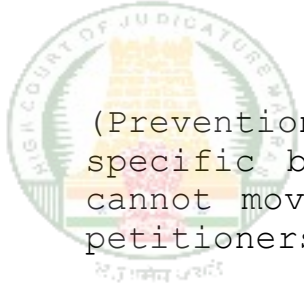
Additional Public Prosecutor(Crl.Side)

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 petitioners and the learned Additional Public Prosecutor (Crl. Side) for the 1st &2nd respondents.

3.The petitioners are arrayed as accused in Crime No.308/2017 in respect of the offences under Sections 147, 294(b), 323, 506(i) of I.P.C read with Section 4 Tamil Nadu Prohibition of Harassment of Woman Act, 2002 and Section 3(2)(V) and 3 (1) (W) (i) of SC/ST



(Prevention of Atrocities) 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 petitioners cannot move any anticipatory bail, the I Additional District Judge Cum PCR Court, Trichy, 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.308/2017 on the file of the 2nd 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/-

Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The I Additional District Judge Cum PCR Court,
Trichy.
2. The Deputy Superintendent of Police,
Jiyapuram, Trichy District.
3. The Inspector of Police,
Manacahnallur Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.A.AZHAGESON, Advocate SR.No.81385

das/am/ta

MAS/KP/SAR2:05.10.2017:2P-6C



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