



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

WEB COPY

CRL.O.P.(MD)No.13095 of 2017

1. Rajesh @ Rajesh Kannan
2. Moorthy @ Krishnamoorthy
3. Thirumurugan
4. Jeya
5. Krishnaveni
6. Dhanalakshmi
7. Thayammal

:Petitioners/Accused

Nos.1,2,3,6,7,8 & 9

-Vs-

1. The Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.

2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.363 / 2017)

:Respondents/Complainants

3. Arunkumar

:Respondent/Defacto

-complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the Additional District Session Court (for the exclusive Trial of PCR Cases), Sivagangai, to consider the bail application of the petitioner to be filed in Crime No.363 of 2017, on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners : Mr.R.Balamuruganantham

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.363/2017 in respect of the offences under Sections 147, 148, 294(b), 323,324,354, 355, 506 (2) of IPC read with 3 (1)(r), (s), 3 (1) (xi) of SC/ST (Prevention of Atrocities) Act 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 Additional District Sessions Court, (Special Court for PCR Cases) Sivagangai, 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.363/2016 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 /
Vacation Officer

/True copy/

Sub Assistant Registrar

To

1. The Additional District Session Court (PCR Cases),
Sivagangai.
 2. The Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.
 3. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- + 1 CC TO MR.R.Balamuruganantham, ADVOCATE IN SR No.81315
das/am/ta
MK/KP/SAR-3/04.10.2017/2P/6C