



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

CRL.O.P. (MD) No.13226 of 2017

- 1.Vinoth Kumar @ Periyakaruppu
- 2.Dhanavalli
- 3.Karuppuchamy
- 4.Periyanatchi
- 5.Alagar

: Petitioners/Accused No.1 to 5

-Vs-

State represented by

1. The Deputy Superintendent of Police,
Tiruchuli Taluk, Virudhunagar District.
2. The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
(Crime No.128 / 2017)

: Respondents/Complainants

3. Karmegam

: Respondent/Defacto
-complainant

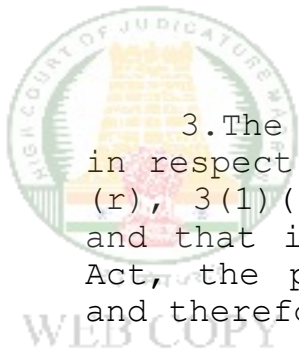
PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the learned District and Sessions Judge Special Court for (PCR) Act, Srivilliputhur, to consider the surrender and the bail application of the petitioners on the same day on merits in Crime No.128 of 2017 on the file of the respondent police.

For Petitioners : Mr.M.Chellapandi
For R.1 & R.2 : Mr.K.Anbarasan
Government Pleader (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 Government Pleader (Crl. Side) for the 1st & 2nd respondents.



3.The petitioners are arrayed as accused in Crime No.128/2017 in respect of the offences under Sections 147, 323 of I.P.C.r/w 3(1) (r), 3(1)(s), 3(2) (Va) of SC/ST (Prevention of Atrocities) Act, 2015 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 petitioner has 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 learned District and Sessions Judge Special Court for (PCR) Act, Srivilliputhur, 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.128/2017 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 District and Sessions Judge Special Court for (PCR) Act, Srivilliputhur.
2. The Deputy Superintendent of Police, Tiruchuli Taluk, Virudhunagar District.
3. The Inspector of Police, Narikudi Police Station, Virudhunagar District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.M.CHELLAPADNI, ADVOCATE IN SR No. 81259

DAS/AM/TA
TE/MR-KKR/SAR-III : 04/10/2017 : 2P/6C