



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 08.03.2017

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WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No.1419 of 2017

1. Maheswari,
2. Sudha @ sujatha,
3. Devarajan

... Petitioners

Vs

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

2. State by Inspector of Police,
Manamadurai All Women Police Station,
Manamadurai,
Sivagangai District.
(crime No.25/2016)

... Respondents

Prayer: Criminal Petition filed under Article 482 of the Constitution of India, praying to direct the District and Sessions Judge cum Special Court for P.C.R., Sivagangai to accept the surrender of the petitioners in connection with the Crime No. 25/2015 on the file of Respondent Police and to consider and pass orders in the bail application on the same day.

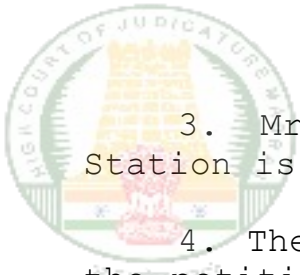
For Petitioner : Mr.V.Kannan

For Respondents : Mr.K.Anbarasan
Government Advocate (Crl. side)

ORDER

This Criminal Petition filed for praying to direct the District and Sessions Judge cum Special Court for P.C.R., Sivagangai to accept the surrender of the petitioners in connection with the Crime No. 25/2015 on the file of 2nd Respondent Police and to consider the bail applications of the petitioners on the same day.

2. Heard Mr.V.Kannan for petitioners and Mr.K.Anbarasan Government Advocate (Crl. Side) for the respondents.



3. Mr. Amirtham, Inspector of Police, Manamadurai Police Station is present before this Court.

4. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 417 and 376 of IPC and Section 3(i)(xii) of the SC/ST (Prevention of Atrocities), Act 1989 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.

5. Today, when the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that Devarajan, the third petitioner herein, has been arrested on 16.02.2017. In view of the above, this petition stands dismissed as against the third petitioner.

6. As far as the other petitioners are concerned, 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 1 and 2 cannot move any anticipatory bail, the petitioners 1 and 2 are directed to surrender before the learned District and Sessions Judge cum Special Court for PCR, Sivagangai, in respect of Crime No.25 of 2016 on the file of the second respondent police, within two weeks from the date of receipt of a copy of this order and on the petitioners 1 and 2 surrendering and filing bail application in Crime No. 25 of 2016 the learned District & Sessions Judge, Special Court for PCR, Sivagangai, in turn, is directed to accept their surrender, consider their bail application on merits and in accordance with law on the same day.

7. With the above direction, this petition is disposed of.

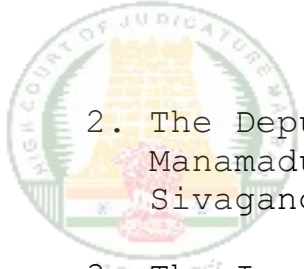
Sd/-
Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Judge
Special Court for PCR,
Sivagangai.



2. The Deputy Superintendent of Police,
Manamadurai Circle,
Sivagangai District.

3. The Inspector of Police,
Manamadurai All Women Police Station,
Manamadurai,
Sivagangai District.

RR
VB/KP/SAR4/04.04.2017/3P/4C

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