



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2017

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Cr1.O.P. (MD) No.1436 of 2017

1.Nagarajan
2.Ramachandran

: Petitioners/A1 and A2

-vs-

State rep. by
Deputy Superintendent of Police,
Sivagangai Taluk Police Station,
Sivagangai District.

: Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge, Exclusive trial for PCR cases, Sivagangai, to consider the bail application of the petitioners to be filed in Crime No.32 of 2017 on the file of the respondent police and to accept their surrender on the same day on merits.

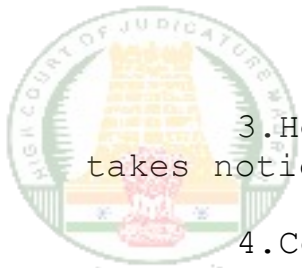
For Petitioners : Mr.R.Balamuruganantham

For Respondent : Mr.C.Ramesh
Addl. Public Prosecutor

O R D E R

This petition has been filed, seeking to direct the learned Sessions Judge, Exclusive trial for PCR cases, Sivagangai, to accept the surrender of the petitioners and to consider their bail application on the same day in connection with Crime No.32 of 2017 on the file of the respondent police.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 294(b), 323 IPC r/w Section 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities Act) Amendment Act 2015, in Crime No.32 of 2017 and that in view of the specific bar under Section 18 of the SC & S.T. (Prevention of Atrocities) Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioner has come forward with the present petition for the said prayer.



3. Heard Mr.C.Ramesh, the Additional Public Prosecutor, who takes notice for the respondent.

4. Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

WEB COPY The petitioners are directed to surrender before the learned Sessions Judge, Exclusive trial for PCR cases, Sivagangai, within fifteen days from today and if they filed any bail application in this crime number, the learned Sessions Judge, Exclusive trial for PCR cases, Sivagangai, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

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To:

1 The Sessions Judge, (PCR Court), Sivagangai District.

2. Deputy Superintendent of Police,
Sivagangai Taluk Police Station,
Sivagangai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.R.Balamuruganantham, Advocate Sr.No.7595

GJM/BS/SAR-2-13.2.17-2p-5C

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