



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.02.2017

WEB COPY

CORAM
THE HON'BLE MR.JUSTICE G.CHOCKALINGAM
Crl.O.P.(MD) No.1879 of 2017

1.Alagar @ Alagarsami

2.Murthy @ Sundhara Moorthi

.. Petitioners/A5 & A7

-vs-

1.The State rep. by,
The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.The Inspector of Police,
Kallikudi Police Station,
Madurai District.
In Crime No.25/2017

.. Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to direct the III-Additional District and Sessions Judge (PCR Court), Madurai, to consider the bail application on the same day of their surrender if any filed by the Petitioners/Accused No.5 & 7 in Crime No.25 of 2017 registered by the 2nd respondent herein.

For Petitioners : Mr.R.Gowrishankar

For Respondents : Mr.K.V.Rajarajan
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the III-Additional District and Sessions Judge (PCR Court), Madurai, to consider the bail application of the petitioners/A5 and A7 on the same day of their surrender in connection with the case in Crime No.25 of 2017 on the file of the respondents police.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 147, 148, 294(b), 427, 323, 324, 506(2) of IPC r/w Section 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act 2015, in Crime No.25 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 petitioners have come forward with



the present petition for the said prayer.

3. Heard Mr.K.V.Rajarajan, learned Government Advocate (Crl.Side) who takes notice for the respondents.

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

The petitioners are directed to surrender before the III-Additional District and Sessions Judge (PCR Court), Madurai, within fifteen days from today and if they filed any bail application in this crime number, the III-Additional District and Sessions Judge (PCR Court), Madurai, 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.

5. With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The III-Additional District and Sessions Judge (PCR Court),
Madurai.

2. The State rep. by,
The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

3. The Inspector of Police,
Kallikudi Police Station,
Madurai District.

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

+1 CC TO MR. R.GOWRI SHANKAR, ADVOCATE, SR NO.10206

PJL
MAS/CM-MSA:27.02.2017:2P/6C

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