



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2017

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WEB COPY

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

CrI.O.P. (MD) No.2090 of 2017

1.Kannan
2.Duraipandian @ Pandiyan : Petitioners/A1 and A2

-vs-

1.The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.
2.State, rep by Inspector of Police,
Thiruvonam Police Station,
Thanjavur District. : Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.33 of 2017, dated 21.02.2017 on the file of the respondents police.

For Petitioners : Mr.D.Rameshkumar
For Respondents : Mr.K.Anbarasan
Govt. Advocate (CrI.Side)

O R D E R

This petition has been filed, seeking to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, to consider the bail application of the petitioners on the same day of their surrender in connection with the case in Crime No.33 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 294(b) and 323 IPC r/w Section 3(1)(r), (s), 3(2)(va) of SC/ST POA Act, in Crime No.33 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.Anbarasan, 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 learned I Additional District and Sessions Judge (PCR Court), Thanjavur, within fifteen days from today and if they filed any bail application in this crime number, the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, 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(T&P)

/True Copy/

Sub Assistant Registrar

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To:

1 The Additional District and Sessions Judge,
(PCR Court), Thanjavur.

2.The Deputy Superintendent of Police,
Orathanadu, Thanjavur District.

3.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.

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

+1cc to Mr.D.Ramesh Kumar, Advocate Sr.No. 11255

JAM/03.03.17 /CM-MSA/SAR 3/2P-6C