



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2017

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THE HON'BLE MR. JUSTICE G. CHOCKALINGAM

Crl.O.P.(MD) No.2134 of 2017

WEB COPY

1.Sarathkumar

2.Vignesh

: Petitioners/A2 and A3

-vs-

1.State rep by

The Deputy Superintendent of Police,
Sirkazhi Police Station,
Nagapattinam District.

2.The Inspector of Police,
Sirkazhi Police Station,
Nagapattinam District.
(Crime No.38/2017)

: Respondents/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned 1st Additional District and Sessions Judge (PCR) , Thanjavur, to accept their surrender and to consider bail application to be filed by them on the same day on merits in Crime No.38 of 2017 on the file of the respondent police.

For Petitioner : Mr.A.Arun Prasad

For Respondents : Mr. A.P.Balasubramani
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned 1st Additional District and Sessions Judge (PCR), Thanjavur, to consider the bail application of the petitioners on the same day of their surrender in connection with the case in Crime No.38 of 2017 on the file of the respondent police.

2.The learned counsel for the petitioner has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC and 3(i)(r) 3(i)(s) 3(2)(Va) of SC/ST (PA) Amendment Act 2015, in Crime No.38 of 2017 and that in view of the specific bar under Section 18 of the SC & S.T. (Prevention of Atrocities) Act, the petitioner cannot move any anticipatory bail application and hence, the petitioner has come forward with the present petition for the said prayer.



3. Heard Mr.A.P.Balasubramani, 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 1st Additional District and Sessions Judge (PCR), Thanjavur, within fifteen days from today and if they filed any bail application in this crime number, the learned 1st Additional District and Sessions Judge (PCR) , 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.

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

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

- 1.The First Additional District and Sessions Judge(PCR),
Thanjavur.
- 2.The Deputy Superintendent of Police,
Sirkazhi Police Station,
Nagapattinam District.
- 3.The Inspector of Police,
Sirkazhi Police Station,
Nagapattinam District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to A.Arun Prasad, Advocate, Sr No.11997

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28.02.2017

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