



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.2326 of 2017

1.Mohan
2.Muthu
3.Senthil
4.Malaisamy
5.Kannan
6.Karuppiah
7.Pandi
8.Karuppayee
9.Muthu
10.Murugan
11.Arumugam
12.Marimuthu
13.Mayakuruvi

: Petitioners/Accused No.1 to 13

Vs.

State Rep. by
The Inspector of Police,
Perungudi Police Station,
Madurai District.
In Cr.No.315 of 2016.

: Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Third Additional District and Sessions Court (P.C.R. Court), Madurai, to consider the bail application on the surrender of the petitioners in connection with case in Crime No.315 of 2016 pending investigation on the file of the respondent on merits on the same day.

For Petitioners : Mr.R.Aravindan

For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the Third Additional District and Sessions Court (P.C.R. Court), Madurai, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.315 of 2016 pending on the file of the respondent police.



2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294(b), 447, 506(i), 109 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 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.

3. The learned Government Advocate (Criminal side) takes notice for the respondents and submits that the investigation in Crime No.315 of 2016 has been completed and charge sheet has been filed before the learned Judicial Magistrate No.VI, Madurai, in P.R.C.No.9 of 2017.

4. 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 cannot move any anticipatory bail, the petitioners are directed to surrender before the Third Additional District and Sessions Court (P.C.R. Court), Madurai, in respect of Crime No.315 of 2016 on the file of the respondent police, within two weeks from the date of receipt of a copy of this order and on the petitioners' surrender and filing bail application in Crime No.315 of 2016, the Third Additional District and Sessions Court (P.C.R. Court), Madurai, in turn, is directed to accept their surrender, consider their bail application and dispose of the same on merits and in accordance with law on the same day.

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

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Third Additional District and Sessions Court
(P.C.R. Court), Madurai.

2.The Inspector of Police,
Perungudi Police Station,
Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



+lcc to Mr.R.Aravindan, Advocate Sr.No.13912

sml

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Order made in
Crl.O.P. (MD)No.2326 of 2017
10.03.2017