



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.2415 of 2017

WEB COPY

1.Vijay
2.Vasanth
3.Kamesh
4.Nagarajan @ Raja
5.Ulaganathan
6.Dinesh
7.Udhaya @ Udhaya Prakash
8.Muppili Vinith @ Vinith : Petitioners/Accused No.1 to 8

Vs.

1.The Deputy Superintendent of Police,
Samayanallur,
Madurai District.

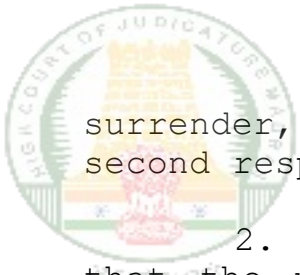
2.State through the,
Sub-Inspector of Police,
Sholavandan Police Station,
Madurai District.
(In Crime No.180 of 2016). : Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Third Additional District Judge (PCR Cases), Madurai, to accept the surrender of the petitioners and entertain the bail petition in Crime No.180 of 2016 on the file of Sub-Inspector of Police, Sholavandan Police Station and dispose the bail petition on that day itself.

For Petitioners : Mr.M.Nagarajan
For Respondents : 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 learned Third Additional District Judge (PCR Cases), 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.180 of 2016 pending on the file of the second 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), 323 and 354 of the Indian Penal Code r/w 3(2) (va) of SC/ST (Prevention of Atrocities) Act, 1989 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 injured has been discharged from the hospital.

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 learned Third Additional District Judge (PCR Cases), Madurai, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.180 of 2016 on the file of the second respondent 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(CO)

/True Copy/

Sub Assistant Registrar

SML

To

- 1.The Third Additional District Judge (PCR Cases), Madurai.
- 2.The Deputy Superintendent of Police,
Samayanallur, Madurai District.
- 3.The Sub-Inspector of Police,
Sholavandan Police Station, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc to M/S.M.ANGALAESWARI, Advocate SR.No.12815

Order made in
Cr1.O.P.(MD)No.2415 of 2017
Dated: 07.03.2017