



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **P.N.PRAKASH**

Crl.O.P.(MD)No.2644 of 2017

1.Karthick
2.Alagarsamy
3.Chandra Kannan

: Petitioners/Accused Nos.2, 3 & 6

Vs.

State rep. by
1.The Deputy Superintendent of Police,
Kalaiyarkovil Sub Division,
Sivagangai District.

2.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

: Respondents/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Sessions Judge (Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act), Sivagangai to consider the bail petition on the same day on their surrender in connection with Crime No.455 of 2015 on the file of the respondent police.

For Petitioners : Mr.R.Mohanasundaram
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 Sessions Judge (Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act), Sivagangai, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.455 of 2015 pending on the file of the respondent police.

2. The learned counsel for the petitioners also submits
<https://hservices.ecourts.gov.in/hservices/>
that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294(b) and 506(ii) of



the Indian Penal Code r/w Section 3(i)(x) of The Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities), Act 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.

WEB COPY

3. The learned Government Advocate (Criminal side) takes notice for the respondents and submitted that the investigation in Crime No.455 of 2015 has been completed and final report has been filed, which has been taken on file in P.R.C.No.36 of 2016.

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 learned Sessions Judge (Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act), Sivagangai, in respect of Crime No.455 of 2015 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.455 of 2015, the learned Sessions Judge (Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act), Sivagangai, 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(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Sessions Judge,
(Special Court for Exclusive Trial of Cases under SC/ST
(Prevention of Atrocities) Act), Sivagangai.

2.The Deputy Superintendent of Police,
Kalaiyarkovil Sub Division,
Sivagangai District.

3.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.



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

+1CC TO M/S.R.MOHANASUNDARAM, Advocate, SR.NO.13917

Order made in
Cr1.O.P.(MD)No.2644 of 2017

JM/SKN/20.03.2017/3P/6C