



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.03.2017**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

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Crl.O.P.(MD)No.2759 of 2017

1.S.Balasubramanian

2.B.Siva

: Petitioners/Accused 1 & 2

Vs.

1.The Deputy Superintendent of Police,
Thanjavur Town,
Thanjavur.

2.The State Rep. by its
The Inspector of Police,
Medical College Police Station,
Thanjavur,
Thanjavur District.

(Crime No.60 of 2017). : Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned First Additional District and Sessions Judge -cum- (PCR Court), Thanjavur to accept the surrender of the petitioners and to consider the bail application on the same day in accordance with law of their surrender in connection with Crime No.60 of 2017 on the file of the Inspector of Police, Medical College Police Station, Thanjavur, Thanjavur District.

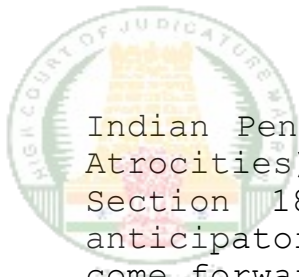
For Petitioners : Mr.A.Senthil Kumar

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 First Additional District and Sessions Judge -cum- (PCR Court), Thanjavur, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.60 of 2017 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), 323, 354 and 506(ii) of the



Indian Penal Code r/w 3(1)(r) and 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment 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.

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3. The learned Government Advocate (Criminal side) takes notice for the respondents.

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 First Additional District and Sessions Judge -cum- (PCR Court), Thanjavur, in respect of Crime No.60 of 2017 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.60 of 2017, the learned First Additional District and Sessions Judge -cum- (PCR Court), Thanjavur, in turn, is directed to accept their surrender, consider their bail application 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 First Additional District and Sessions Judge
-cum- (PCR Court), Thanjavur.

2.The Deputy Superintendent of Police,
Thanjavur Town,
Thanjavur.

3.The Inspector of Police,
Medical College Police Station,
Thanjavur,
Thanjavur District.

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

+1 CC TO.MR.A.SENTHIL KUMAR,ADVOCATE,SR NO.14174

SML

MAS/SKN-RSK:24.03.2017:2P-6C