



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.03.2017
CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

WEB COPY

Cr1.O.P. (MD) No. 2772 of 2017

1. Jeevan
2. Mani,
S/o. Chinnasami.
3. Mani,
S/o. Archunan.
4. Thangapandi
5. Auto Murugan

: Petitioners/Accused no. 7 to 11

Vs.

1. The Deputy Superintendent of Police,
Theni,
Theni District.

2. The Inspector of Police,
Allinagaram Police Station,
Theni District.

(In Crime No. 63 of 2016) : Respondents/Complainants

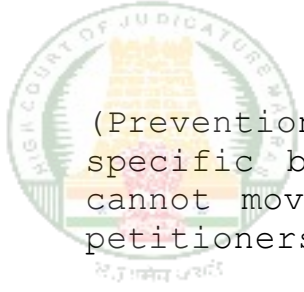
Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Learned Principal District Judge (PCR Act Cases), Theni to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No. 63 of 2016 on the file of the respondent.

For Petitioners : Mr. M. Subashbabu
For Respondents : Mr. A. P. Balasubramani,
Government Advocate (Cr1. 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 Principal District Judge (PCR Act Cases), Theni consider the bail application on merits on the same day of their surrender, in Crime No. 63 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, 148, 341, 324, 336, 506(ii) of the Indian Penal Code r/w 3(1)(r) S, 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, who would submit that on completion of investigation, charge sheet has been filed in S.S.C.No.7 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 learned Principal District Judge (PCR Act Cases), Theni, in respect of Crime No.63 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.63 of 2017, the learned Principal District Judge (PCR Act Cases), Theni, in turn, is directed to accept their surrender and 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(RTI)

/True copy/

Sub Assistant Registrar

To

1.The Principal District Judge,
(PCR ACT CASES)

2.The Deputy Superintendent of Police,
Theni,
Theni District.

3.The Inspector of Police,
Allinagaram Police Station,
Theni District,

+1cc to Mr.M.Subashbabu,Advocate,SR.14877

Order made in
Crl.O.P.(MD)No.2772 of 2017
14.03.2017