



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.03.2017**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Crl.O.P. (MD)No.2802 of 2017

- 1.Seik Mohamad
- 2.Chithiraivelu
- 3.Alagar
- 4.Somasundaram Aasari
- 5.Sahul
- 6.Syed Mohamad
- 7.Rappani
- 8.Murugan
- 9.Mohamed Ibrahim
- 10.Siraputhin

: Petitioners Accused No. 1 to 10
Vs.

1.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.

2.The Sub Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

(In Crime No.14 of 2017)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Additional Sessions Judge cum PCR Court, Sivagangai to accept petitioners surrender and consider their bail application if any filed by them on the same day in Crime No.14 of 2017 on the file of the 2nd respondent police.

For Petitioners : Mr.K.C.Ramalingam

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 Additional District & Sessions Judge, PCR Court, 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.14 of 2017 pending on the file of the



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, 294(b), 323, 324, 506 (ii) of the Indian Penal Code r/w 3(1)(r), 3(1)(s) 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 no one sustained injury in the alleged occurrence.

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 Second Additional District & Sessions Judge, PCR Court, Sivagangai, in respect of Crime No.14 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.14 of 2017, the learned Additional District & Sessions Judge, PCR Court, Sivagangai, 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(CS-III)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.
- 2.The Sub Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
- 3.The Additional District & Sessions Judge, PCR Court, Sivagangai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC TO MR.K.C.RAMALINGAM, ADVOCATE, SR NO.14359

MR/RR

MAS/SV-MMS/SAR2:11.04.2017:2P-6C

<https://hcservices.ecourts.gov.in/hcservices/>

Order made in
Crl.O.P. (MD) No.2802 of 2017
Dated: 14.03.2017