

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 15.03.2017

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASHCrl.O.P. (MD) No.2896 of 2017

1.Elangovan
2.Ponraman
3.Mariyammal

: Petitioners/Accused Nos.3 to 5

Vs.

State represented by its
The Inspector of Police,
Kallakudi Police Station,
Kallakudi,
Trichy District.
(Crime No.86 of 2017).

: Respondent/Complainant

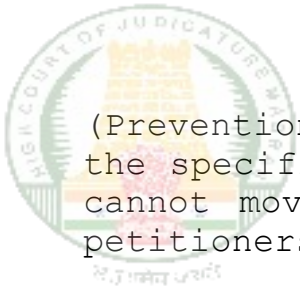
Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned I Additional District Judge cum PCR Court, Trichy, to consider the bail application of the Petitioners on the same day of his surrender before that Court in connection with Crime No.86 of 2017 on the file of the Respondent.

For Petitioners : Mr.N.Ananda Kumar
For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

ORDER

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned I Additional District Judge cum PCR Court, Trichy, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.86 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 447, 294(b), 147, 148, 120(B), 323, 324, 300(11) of the Indian Penal Code r/w 34 of the Indian Penal Code and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST



(Prevention of Atrocities) Amendment Act, 2015 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 respondent and submitted 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 petitioners are directed to surrender before the learned I Additional District Judge cum PCR Court, Trichy, in respect of Crime No.86 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.86 of 2017, the learned I Additional District Judge cum PCR Court, Trichy, 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(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The I Additional District Judge cum PCR Court,
Trichy.

2.The Inspector of Police,
Kallakudi Police Station,
Kallakudi,
Trichy District.

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

+1cc to M/s. N.ANANDA KUMAR Advocate in SR. No.14879

SJ

JS/SV/MMS/21.03.2017/2P-5C