



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.304of 2017

1.Muniyasamy, S/o.Ramasamy
2.Muniyasamy, s/o.Subbaiah
3.Selvam

: Petitioners/A2 to A4

-VS-

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

2.The State rep. by
The Inspector of Police,
Parthibanoor Police Station,
Parthibanoor,
Paramakudi Taluk,
Ramanathapuram District.
(Crime No.353/2016)

: Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Ramanathapuram, to accept the surrender of the petitioners and consider the petitioners bail application and grant bail on the date of surrender itself in Crime No.353 of 2016, dated 31.12.2016 on the file of the respondent.

For Petitioners : Mr.D.Senthil

For Respondents : Mr.A.P.Balasubramanian
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned Principal District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Ramanathapuram, to accept the surrender of the petitioners and consider their bail application on the same day on merits, in



relating to Crime No.353 of 2016, on the file of the respondent
polices.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC r/w Section 3(1)(r), 3(1)(s) of SC & ST (POA) Amendment Act, 2015 and in Crime No.637 of 2016 and that in view of the specific bar under Section 18 of the SC & S.T. (Prevention of Atrocities) Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come forward with the present petition for the said prayer.

3.Heard Mr.A.P.Balasubramani, the learned Government Advocate (Crl.Side), who takes notice for the respondents.

4.Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

The petitioners are directed to surrender before the learned Principal District & Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Ramanathapuram, within fifteen days from today and if they filed any bail application in this crime number, learned Principal District & Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Police Station,
Paramakudi Taluk,
Ramanathapuram District.



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

+1 cc to MR.D.SENTHIL, Advocate SR.No.1947

Cr1.O.P. (MD) No.304 of 2017
10.01.2017

SMA/SS-3/SAR-2/19.01.2017:3P/5C