



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2017

CORAM

THE HON'BLE MR.JUSTICE B.GOKULDAS

Crl.O.P. (MD) No.330 of 2017

1.S.Muthuraja
2.A.Rajkumar
3.K.Karunakaran

..Petitioners/A4, A5 & A7

Vs.

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

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.567 of 2016)

..Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, to accept the surrender of these petitioners in Crime No.567/2016, on the file of the 2nd respondent and to pass orders on the same day on their bail application on merits.

For Petitioners : Mr.R.Balaji

For Respondents : Mrs.S.Prabha

Government Advocate (Crl. Side)

O R D E R

The petitioners seek a direction to the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, to consider the bail application of the petitioners on the day of surrender itself.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. The petitioners are arrayed as accused Nos.4, 5 and 7 in Crime No.567 of 2016 for the offences punishable under Sections 147, 148, 341, 294(b) and 307 of IPC r/w. Section 3(2) (Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, and that in view of the specific bar contained in Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.



4.The learned Government Advocate (Crl. Side) would submit that the injured person had already been discharged from the hospital.

5.Considering the facts and circumstances of the case, the petitioners are directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.567 of 2016 and consider the bail application of the petitioners and dispose of the same on merits and in accordance with law, on the same day of their surrender.

6.This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS)

To

1.The Special Court for Exclusive Trial of Cases
under SC/ST (POA) Act,
Sivagangai.

2. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

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

+1cc to M/s.R.Balaji, Advocate in SR.2122

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pjl

PBK/EM-MP/SAR-2 20/01/2017 ::2P-6C: