



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.03.2017
CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD) No.3371 of 2017

1.Adhavan
2.Karthi
3.Kathiresan
4.Sivaraman

: Petitioners

Vs.

1.The Deputy Superintendent of Police,
Thiruvaiyuar Division,
Thanjavur District.

2.The Inspector of Police,
Bhoodhalur Police Station,
Thanjavur District.
Cr.No.52 of 2017.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned First Additional District and Sessions Judge (PCR), Thanjavur, to accept the surrender of the petitioners and the bail application to be filed by the petitioners and to consider the bail application on the same day in Cr.No.52 of 2017 on the file of the second respondent police.

For Petitioners : Mr.T.A.Ebenezer
For Respondents : Mr.K.Anbarasan,
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 First Additional District and Sessions Judge (PCR), Thanjavur, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.52 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 147, 294(b), 355, 323, 506(i) of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) 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 respondents and submits 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 First Additional District and Sessions Judge (PCR), Thanjavur, in respect of Crime No.52 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.52 of 2017, the learned First Additional District and Sessions Judge (PCR), Thanjavur, 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(CSIII)

/True Copy/

Sub-Assistant Registrar

SML

To

1.The First Additional District and Sessions Judge (PCR),
Thanjavur.

2.The Deputy Superintendent of Police,
Thiruvaiyuar Division, Thanjavur District.

3.The Inspector of Police,
Bhoodhalur Police Station, Thanjavur District.

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

1CC TO MR. T.A. EBENEZER, ADVOCATE, SR: 17235

JM SV MMS/SAR 3
23 3 2017

Order made in
Crl.O.P. (MD) No.3371 of 2017
DATED: 23/03/2017