



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No. 3400 of 2017

1. Prakash
2. M. Nava Pandeewari : Petitioners/Accused 1 & 2

Vs.

1. The Deputy Superintendent of Police,
Usilampatti, Madurai District.

2. State through the
Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

(In Crime No. 297 of 2016).

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Third Additional District Judge (PCR Cases), Madurai, to accept the surrender of the petitioners and entertain the bail petition in Crime No. 297 of 2016 on the file of Inspector of Police, Usilampatti Taluk Police Station and dispose the bail petition on that day itself.

For Petitioners : Mr. P. Subbaraj
For Respondents : Mr. K. Anbarasan,
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 Third Additional District Judge (PCR Cases), Madurai, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No. 297 of 2016 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 452, 294(b), 324, 323 and 506(ii) of the Indian Penal Code r/w Section 4 of Women Harassment Act and Section 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 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 Third Additional District Judge (PCR Cases), Madurai, in respect of Crime No.297 of 2016 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.297 of 2016, the learned Third Additional District Judge (PCR Cases), Madurai, 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 (Records)

/True Copy/

Sub Assistant Registrar

To

1. The Third Additional District Judge (PCR Cases),
Madurai.
2. The Deputy Superintendent of Police,
Usilampatti,
Madurai District.
3. The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.P.SUBBARAJ, ADVOCATE IN SR No. 16894

SML

TE/MR/SAR-II : 28/03/2017 : 2P/6C

Order made in
Crl.O.P. (MD) No.3400 of 2017
Dated: 23.03.2017