



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.03.2017**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Crl.O.P.(MD)No.3672 of 2017

1.Velmurugan  
2.Alagammal  
3.Selvam  
4.Lakshmi

: Petitioners

Vs.

1.The Deputy Superintendent of Police,  
Thirumangalam Division,  
Madurai District.

2.The Inspector of Police,  
Kallikudi Police Station,  
Madurai District.

(In Crime No.80 of 2017).

: Respondents

**Prayer :** Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Third Additional District and Sessions Judge (PCR), Madurai, to accept their surrender and to consider the bail application to be filed by the petitioners on same day on merits in Crime No.80 of 2017 on the file of the second respondent police.

For Petitioners : Mr.S.Prabhu

For Respondents : Mr.A.P.Balasubramani,  
Government Advocate (Crl.side)

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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 and Sessions Judge (PCR), 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.80 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 294(b) and 506(1) of the Indian Penal Code 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



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.

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 and Sessions Judge (PCR), Madurai, in respect of Crime No.80 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.80 of 2017, the learned Third Additional District and Sessions Judge (PCR), 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 (CS-III)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The Third Additional District and Sessions Judge (PCR),  
Madurai.
- 2.The Deputy Superintendent of Police,  
Thirumangalam Division,  
Madurai District.
- 3.The Inspector of Police,  
Kallikudi Police Station,  
Madurai District.  
(In Crime No.80 of 2017).
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC TO MR.S.PRABHU, ADVOCATE, SR NO.18629

SML

MAS/SKN-RSK/SAR2:05.04.2017:2P-6C