



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3745 of 2017

1. Jeganathan

2. Dinesh

: Petitioners/Accused Nos.2 & 3

Vs.

State Rep. by

1. The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.

2. The Inspector of Police,
Vadamadurai Police Station,
In Cr.No.61 of 2017,
Dindigul District.

: Respondents/Complainant

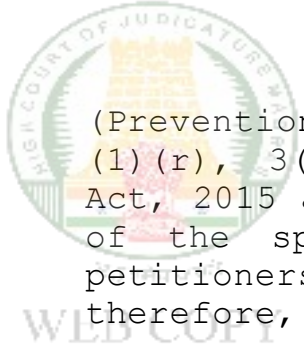
Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District and Sessions Judge (PCR Act Cases), Dindigul, to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.61 of 2017 on the file of the second respondent.

For Petitioners : Mr.M.Subash Babu
For Respondents : Mr.A.P.Balasubramani,
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 Principal District and Sessions Judge (PCR Act Cases), Dindigul, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.61 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, 148, 323, 324, 506(i) of the Indian Penal Code and Section 3(1) of Tamil Nadu Public Property



(Prevention of Damage and Loss) Act, 1992 r/w Sections 3(2)(v), 3(1)(r), 3(1)(a) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 and Section 34 of the Indian Penal Code 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 Principal District and Sessions Judge (PCR Act Cases), Dindigul, in respect of Crime No.61 of 2017 on the file of the 2nd 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.61 of 2017, the learned Principal District and Sessions Judge (PCR Act Cases), Dindigul, 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(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge (PCR Act Cases), Dindigul.
2. The Deputy Superintendent of Police, Vendasandur, Dindigul District.
3. The Inspector of Police, Vadamadurai Police Station, In Cr.No.61 of 2017, Dindigul District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.M.Subash Babu, Advocate, SR.No. 50462

**Order made in
Crl.O.P. (MD) No.3745 of 2017
05.04.2017**