



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3827 of 2017

1. Pandian
2. Rani
3. Baskar

: Petitioners

Vs.

State represented by

1. The Deputy Superintendent of Police,
Thiruvaiyaur,
Thanjavur District.

2. The Inspector of Police,
Thogur Police Station,
Thanjavur District.

(Crime No.127 of 2015).

: Respondents

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), Thanjavur, to consider the bail application of the petitioners to be filed in Cr.No.127 of 2015 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners

: Mr.C.Shanmugasundaram

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), 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.127 of 2015 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, 294(b), 323, 324, 363 and 506(ii) of the Indian Penal Code r/w Section 3(1) (x) of SC/ST Services, Courts, Govt. Ind. Services/ 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 investigation in Crime No.127 of 2015 has been completed and charge sheet has been filed on 06.03.2017, but the same has not been taken on file.

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), Thanjavur, in respect of Crime No.127 of 2015 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.127 of 2015, the learned Principal 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.

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

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

2.The Deputy Superintendent of Police,
Thiruvaiyaur,
Thanjavur District.

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

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

+1cc to Mr.C.Shanmugasundaram,Advocate,SR.50036

Order made in

Cr1.O.P. (MD) No.3827 of 2017

Dated: 05.04.2017

SML

KK/RSK/SAR3/12.04.2017-2P-6C