



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2017

CORAM:

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THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CrI.O.P. (MD) No. 3967 of 2017

1. Manivel
2. Raji @ Radha Krishnan
3. Suresh @ Balaji
4. Dinesh @ Nandu @ Elavarasan : Petitioners

Vs.

The State represented by

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

2. The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Crime No. 403 of 2016).

: Respondents

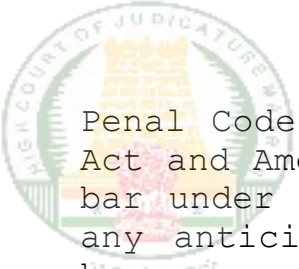
Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned First Additional District Judge -cum- P.C.R. Court, Thanjavur, to accept the surrender of the petitioners and consider the bail applications on the date of surrender in connection with Cr.No. 403 of 2016 on the file of the respondent police.

For Petitioners : Mr. B. Jameel Arasu
For Respondents : Mr. A. P. Balasubramani,
Government Advocate (CrI. 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 Judge -cum- P.C.R. Court, 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. 403 of 2016 pending on the file of the respondent police.

2. The learned counsel for the petitioners also submits
<https://hservices.ecourts.gov.in/hservices/>
that the petitioners have been implicated in this case for the alleged offences under Sections 341, 294(b), 506(i) of the Indian



Penal Code r/w Section 3(1) (r), 3(1)(5), 3(2)(va) of SC/ST (POA) Act and Amendment Ordinance, 2014 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.

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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 First Additional District Judge -cum- P.C.R. Court, Thanjavur, in respect of Crime No.403 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.403 of 2016, the learned First Additional District Judge -cum- P.C.R. Court, 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(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The First Additional District Judge -cum- P.C.R. Court, Thanjavur.

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

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

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

+1 cc to Mr.B.Jameel Arasu, Advocate, SR.No. 51029

Order made in
Crl.O.P. (MD) No.3967 of 2017
Dated: 06.04.2017