



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2017

CORAM:

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.4094 of 2017

1.Vicky
2.Arun
3.Perumal @ Sevugaperumal
4.Sundar : Petitioners/Accused Nos.1 to 3 and 5

Vs.

1. State rep.by
The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
2. The Inspector of Police,
Taluk Police Station,
Sivagangai District,
(Crime No.110/2017) : Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District and Sessions Judge cum P.C.R.Court, Sivagangai to consider the petitioners bail application and dispose of the bail application on the same day, if the petitioners' surrender before the learned Principal District & Sessions Judge cum P.C.R.Court, Sivagangai in Crime No.110 of 2017 on the file of the respondents.

For Petitioners : Mr.B.Santhana Rajesh Kumar
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 & Sessions Judge cum P.C.R. Court, Sivagangai, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.110 of 2017 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 147, 148, 341, 324 and 506(ii) of



the Indian Penal Code r/w Section 3(1)(s), 3(1)(a) of SC and ST 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.

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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 Principal District & Sessions Judge cum P.C.R. Court, Sivagangai in respect of Crime No.110 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.110 of 2017, the learned Principal District & Sessions Judge cum P.C.R. Court, Sivagangai, 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 Principal District & Sessions Judge cum P.C.R. Court, Sivagangai
- 2.The Deputy Superintendent of Police, Sivagangai, Sivagangai District.
- 3.The Inspector of Police, Taluk Police Station, Sivangangai District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.B.Santhanam Rajeshkumar, Advocate, SR.No. 51068

**Order made in
Crl.O.P. (MD) No.4094 of 2017
Dated: 07.04.2017**