



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

CRL.O.P.(MD)No.4404 of 2017

- 1.Anbalagan
- 2.Rajesh
- 3.Saravanan

: Petitioners/Accused 1 to 3

Vs.

1. State rep. by,
The Deputy Superintendent of Police,
Pattukkottai,
Thanjavur District.

2. State rep. by,
The Inspector of Police,
Madukkur Police Station,
Thanjavur District.

(Cr. No.60 of 2017).

: Respondents/Complainants

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned First Additional District and Sessions Judge -cum- Special Judge, PCR Court, Thanjavur, to accept the surrender of the petitioners and consider the bail application of the petitioners on the same day of surrender in Crime No.60 of 2017 on the file of the respondent police.

For Petitioners

: Mr.T.Kumar

For Respondents

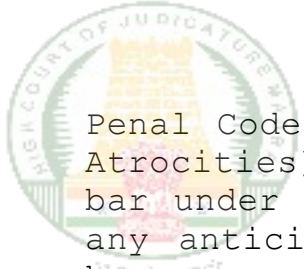
: Mr.A.P.Balasubramani,

Government Advocate (Crl.side)

ORDER

The learned counsel for the petitioners would submit that the petitioners have come forward with this petition seeking for a direction to the learned First Additional District and Sessions Judge -cum- Special Judge, PCR 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.60 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), 352, 427, 506(i) of the Indian



Penal Code r/w 3(1)(r), 3(1)(s), 3(1)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 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) accepts notice for the respondents and submits that no one sustained injury in the alleged occurrence. He further submits that there is no previous case against these petitioners.

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 and Sessions Judge -cum- Special Judge, PCR Court, Thanjavur, in respect of Crime No.60 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.60 of 2017, the learned First Additional District and Sessions Judge -cum- Special Judge, PCR 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. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The First Additional District and Sessions Judge
-cum- Special Judge, PCR Court, Thanjavur.
 2. The Deputy Superintendent of Police,
Pattukkottai, Thanjavur District.
 3. The Inspector of Police,
Madukkur Police Station, Thanjavur District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 cc to Mr.T.Kumar, Advocate, SR.No. 51913

Order made in
CRL.O.P. (MD) No.4404 of 2017
Dated: 13.04.2017