



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **17.04.2017**
CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.4457 of 2017

1.Sriranganathan
2.Boopalan

: Petitioners/Accused 2&3

Vs.

State rep. through by its
The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
Crime No.96 of 2017.

: Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the PCR Court, Sivagangai, to consider the petitioners' bail application on the same day on their surrender in respect of Crime No.96 of 2017 on the file of the respondent police.

For Petitioners : Mr.T.Antony Arul Raj

For Respondent : Mr.K.Anbarasan,
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 PCR 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.96 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, 294(b), 323 of the Indian Penal Code and Sections 3(1)(r) and (s) of the 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) takes notice for the respondent.

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 PCR Court, Sivagangai, in respect of Crime No.96 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.96 of 2017, the PCR 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

/True copy/

Sub Assistant Registrar

To

1.The Additional District and Sessions Judge,
PCR Court, Sivagangai,

2.The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.

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

+1 cc to Mr.T.Antony Arul Raj , Advocate in SR.No. 52407

SML

AE/SV MMS/SAR3/21.04.2017/2P/5C

Order made in
Cr1.O.P. (MD) No.4457 of 2017

Dated: **17.04.2017**