



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.04.2017**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.4614 of 2017

1.Prabakaran

2.Giri @ Vijayakumar

3.Saravanakumar

4.Bala : Petitioners/Accused No.2 to 4 and 6

Vs.

1.State, Rep. By
The Deputy Superintendent of Police,
Thiruvaiyaru,
Thanjavur District.

2.The Inspector or Police,
Naducavery Police Station,
Naducavery,
Thiruvaiyaru Taluk,
Thanjavur District.
(Crime No.92 of 2017)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned I Additional District and District Sessions Judge, PCR Court (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Thanjavur to accept the surrender of the petitioners/accused and consider the petitioners bail application and grant bail on the date of surrender itself in Crime No.92 of 2017 on the file of the respondent police.

For Petitioners : Mr.S.Karthick Subramanian

For Respondents : Mr.K.Anbarasan



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 I Additional District and Sessions Judge PCR Court (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Thanjavur to consider the Bail application of the petitioners on the same date of surrender in Crime No.92 of 2017 on the file of the second respondent police.

2. The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 324 of IPC and Section 3 (1)(r), 3(1)(s), 3(2)(va) 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 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 I Additional District and District Sessions Judge, PCR Court (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Thanjavur, in respect of Crime No.92 of 2017 on the file of the second respondent police, within two weeks from the date of receipt of a copy of this order and on the petitioner's surrender and filing bail application in Crime No.92 of 2017 the I Additional District and District Sessions Judge, PCR Court (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, 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

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

<https://hcservices.ecourts.gov.in/hcservices/>

1. The I Additional District and Sessions Judge, PCR Court, Thanjavur.



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

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

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

+1 CC TO MR.S.KARTHICK SUBRAMANIAN,ADVOCATE,SR NO.52559

MRN/RR

MAS/MR/SAR3:19.04.2017:3P-6C

Order made in

Crl.O.P.(MD)No.4614 of 2017
18.04.2017