



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.04.2017**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.(MD)No.4615 of 2017

1.Veers @ Veeravadivel

2.Kulam @ Sadam Usaen : Petitioners/Accused No.6 and 7

Vs.

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

2.State rep. By
The Inspector or Police,
Naducauvery Police Station,
Thanjavur District.
(Crime No.223 of 2016) : 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) Thanjavur to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.223 of 2016 dated 29.10.2016, pending investigation on the file of the respondents.

For Petitioners : Mr.K.R.Bharathikannan

For Respondents : Mr.K.Anbarasan
Government Advocate (Cr1.side)

O R D E R

The learned counsel for the petitioners submit that the petitioners have come forward with this petition seeking for a direction to the I Additional District and Sessions Judge (PCR Court), Thanjavur to consider the Bail application of the petitioners on the same date of surrender in Crime No.223 of 2016 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, 506(ii) 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), Thanjavur, in respect of Crime No.223 of 2016 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.223 of 2016 the I Additional District and District Sessions 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. With the above direction, this petition is disposed of.

SD/-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

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, Naducauvery Police Station, Thanjavur District.

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

+1 CC TO MR.K.R.BHARATHIKANNAN, ADVOCATE, SR NO.52332

MRN/RR

MAS/MR/SAR3:19.04.2017:2P-6C