



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.4710 of 2017

1.S.Saivam @ Saivaraj  
2.S.Panneerselvam  
3.S.Subramanian  
4.S.Balamurugan  
5.Pradeep  
6.Prabu  
7.Prakash

: Petitioners

Vs.

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

2.The Inspector of Police,  
Sengipatti Police Station,  
Thanjavur District.  
(Crime No.76 of 2017).

: Respondents

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- (PCR Court), Thanjavur, to accept the surrender of the petitioners and to consider the petitioners bail petition on the same day in accordance with law of their surrender in connection with Crime No.76 of 2017 on the file of the Inspector of Police, Sengipatti Police Station, Thanjavur District.

For Petitioners : Mr.A.Senthilkumar

For Respondents : 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 learned First Additional District and Sessions Judge -cum- (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.76 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, 342, 506(ii) of the Indian Penal Code r/w 3(1)(r), 3(1)(s), 3(2)(va) of SC/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.

3. The learned Government Advocate (Criminal side) takes notice for the respondents and submits that the injured has been discharged from the hospital.

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- (PCR Court), Thanjavur, in respect of Crime No.76 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.76 of 2017, the learned First Additional District and Sessions Judge -cum- (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

ASST REGISTRAR ( AS )

TRUE COPY

SUB ASST REGISTRAR

SML

To

- 1.The First Additional District and Sessions Judge -cum- (PCR Court), Thanjavur.
- 2.The Deputy Superintendent of Police, Thiruvaiyaru, Thanjavur District.
- 3.The Inspector of Police, Sengipatti Police Station, Thanjavur District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

1CC TO MR. A. SENTHILKUMAR, ADVOCATE SR: 53213