



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. (MD) No.4727 of 2017

1.Ganesan
2.Manikandan
3.Nambirajan
4.Prabakaran

: Petitioners

Vs.

1.The Deputy Superintendent of Police,
Pudukkottai District.

2.The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned District and Sessions Judge, Pudukkottai, (Special PCR Court), Pudukkottai District, to consider their bail application filed by the petitioners on the same day of surrender in Crime No.57 of 2017 on the file of the respondent police.

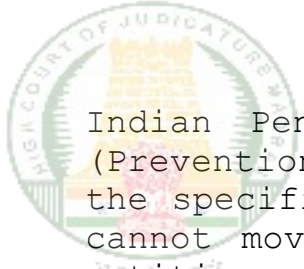
For Petitioners : Mr.P.Ganapathi Subramanian

For Respondents : Mr.K.Anbarasan,
Government Advocate (CrI.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 District and Sessions Judge, Pudukkottai, (Special PCR Court), Pudukkottai District, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.57 of 2017 pending on the file of the respondent police.

2. The learned counsel for the petitioners also submits since the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 323, 427 and 506(i) of the



Indian Penal Code r/w 3(1)(r), 3(1)(s) and 3(2)(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) 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 District and Sessions Judge, Pudukkottai, (Special PCR Court), Pudukkottai District, in respect of Crime No.57 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.57 of 2017, the learned District and Sessions Judge, Pudukkottai, (Special PCR Court), Pudukkottai District, 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(T&P)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The District and Sessions Judge,
Pudukkottai, (Special PCR Court),
Pudukkottai District.

2.The Deputy Superintendent of Police,
Pudukkottai District.

3.The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.

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

+1 CC TO MR.P.GANAPATHI SUBRAMANIAN,ADVOCATE,SR NO.53.401

SML

MAS/SKN-RSK/SAR3:24.04.2017:2P-6C