

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.04.2017

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH**Cr1.O.P. (MD) No.4852 of 2017**

1.Sivakrishnan
2.Kathiresan
3.Sampath
4.Palraj

: Petitioners

Vs.

1. The Deputy Superintendent of Police
Nilakottai,
Dindigul District.

2. The State rep. By
The Inspector of Police,
Vilampatti Police Station,
Dindigul District.
(Cr.No.44 of 2017)

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District and Sessions Judge (PCR Cases), Dindigul to accept the surrender of the petitioners and to consider their bail application on the same day in connection with Crime No.44 of 2017 on the file of the 2nd respondent police.

For Petitioners : Mr.S.Balaji

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 learned Principal District and Sessions Judge (PCR Cases), Dindigul, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.44/2017 pending investigation on the file of the 2nd 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, 148, 336, 324, 506(ii) of IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992 and Section 3(i)(r)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act 1989 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 learned *Principal District and Sessions Judge (PCR Cases), Dindigul*, in respect of Crime No.44 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 petitioners' surrender and filing bail application in Crime No. 44 of 2017 the learned Principal District and Sessions Judge (PCR Cases), Dindigul, 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(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge
(PCR Cases), Dindigul.

2. The Deputy Superintendent of Police
Nilakottai,
Dindigul District.

3. The Inspector of Police,
Vilampatti Police Station,
Dindigul District.

<https://hcservices.mca.gov.in/hcservices>
4. The Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



+lcc to Mr.S.Balaji, Advocate Sr.No.53869

am/tsg

vb/skn/rsk/sar3/26.04.2017/3p/6c

**Order made in
Crl.O.P. (MD) No.4852 of 2017
Dated: 25.04.2017**