



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.04.2017
CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Cr1.O.P.(MD)No.4980 of 2017

WEB COPY

1.Ponnusamy

2.Boominathan

: Petitioners/Accused No.1 & 2

Vs.

State represented by

1.The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.

2.The Inspector of Police,
Checkkanoorani Police Station,
Madurai District.
(Crime No.190/2016)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the III Additional District and Sessions Judge (PCR), Madurai to consider the bail application of the petitioners to be filed in Crime No.190 of 2016 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners : Mr.P.Sengutturasan
For Respondents : Mr.A.R.Balasubramani
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 III Additional District and Sessions Judge (PCR), Madurai to consider the Bail application of the petitioners on the same date of surrender in Crime No.190 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 294(b), 427, 506(i) of IPC and Sections 3 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.Today, M/s.P.Chinnam, Special Inspector of Police, Checkkanoorani Police Station, Madurai is present before this Court.

4.The learned Government Advocate (Criminal side) takes notice for the respondents and submitted that no one sustained injury in the alleged occurrence.

5.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 III Additional District and Sessions Judge (PCR), Madurai, in respect of Crime No.190 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 petitioners' surrender and filing bail application in Crime No.190 of 2016, the III Additional District and Sessions Judge (PCR), Madurai, in turn, is directed to accept their surrender and consider their bail application on merits and in accordance with law on the same day.

6. With the above direction, this petition is disposed of.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1.The IIIrd Additional District and Sessions Judge (PCR),
Madurai,

2.The Deputy Superintendent of Police,
Usilampatti Sub Division, Madurai District.

3.The Inspector of Police,
Checkkanoorani Police Station,
Madurai District.

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

+One cc to Mr.P.Senguttarasan, Advocate, SR.No.53872

Mrn/RR

RL/6C/2P/SKN/SAR4/3.5.2017

Order made in
Cr1.O.P.(MD)No.4980 of 2017