



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

WEB COPY

Crl.O.P.(MD)No.5114 of 2017

1.Vinoth

2.Manojkumar

: Petitioners/Accused Nos.2&3

Vs.

1. The Deputy Superintendent of Police
Uthamapalayam Circle,
Theni District.

2. The State Rep. By
The Sub Inspector of Police,
Chinnamanur Police Station,
Theni District.

(Crime No.240 of 2017.

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal and District Sessions Judge (PCR Court), Theni District to consider the bail application of the petitioners on the same day on merits in the event of their surrender in connection with Crime No.240 of 2017, on the file of the respondent.

For Petitioners

: Mr.R.Sundar

For Respondents

: Mr.A.P.Balasubramani

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 Principal and District Sessions Judge (PCR Court), Theni District, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.240/2017 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 294(b), 506(i) of IPC @ 3(1)(r), 3(1)(s), 3(2)(vs) SC/ST (POA) Amendment and Ordinance Act, 2015 and 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 Principal and District Sessions Judge (PCR Court), Theni District, in respect of Crime No.240 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. 240 of 2017 the learned Principal and District Sessions Judge (PCR Court), Theni 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(Writs)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Principal District and Sessions Judge, (PCR Court),
Theni District
2. The Deputy Superintendent of Police
Uthamapalayam Circle, Theni District.
3. The State Rep. By
The Sub Inspector of Police,
Chinnamanur Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.R.Sundar, Advocate, SR.No.54560
am/tsg
RL/6C/2P/SKN/SAR4/3.5.2017

Order made in
Crl.O.P.(MD)No.5114 of 2017