



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

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Crl.O.P.(MD)No.5179 of 2017

1.Pandiammal

2.Ramu

: Petitioners/Accused 1 and 2

Vs.

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

2. The Inspector of Police,
Sindupatti Police Station,
Madurai District.

(Crime No.76 of 2017)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the 3rd Additional District & Sessions Judge, SC/ST (Prevention of Atrocities) Act, Madurai to consider the bail application of the petitioners on the same day of their surrender in Crime No.76 of 2017, on the file of the respondent police.

For Petitioners : Mr.N.Mohideen Batcha

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 III Additional District & Sessions Judge, SC/ST (Prevention of Atrocities) Act, Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.76/2017 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), 323 of IPC r/w Section 3 (2) (va) of SC/ST Amendment Ordinance 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 the petitioners have come forward with the said prayer.



3. The learned Government Advocate (Criminal side) takes notice for the respondents.

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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 III Additional District & Sessions Judge, SC/ST (Prevention of Atrocities) Act, Madurai, in respect of Crime No.76 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.76 of 2017 the learned III Additional District & Sessions Judge, SC/ST (Prevention of Atrocities) Act, 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.

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

Sd/-
Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1. The 3rd Additional District and Sessions Judge,
PCR Court (SC/ST), Madurai
 2. The Deputy Superintendent of Police
Usilampatti, Madurai District.
 3. The Inspector of Police,
Sindupatti Police Station,
Madurai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +One cc to Mr.N.Mohideen Basha, Advocate, SR.N.54070
am/tsg
RL/6C/2P/MR/SAR2/28.4.2017

Order made in
Cr1.O.P.(MD)No.5179 of 2017