



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.04.2017
CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.(MD)No.5240 of 2017

1.Mohammed Thaha

2.Mathan : Petitioners/Accused No.1 and 2

Vs.

1.The State Represented by its
The Deputy Superintendent of Police,
Ramanathapuram Town,
Ramanathapuram District.

2.The Sub-Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram District.

In (Crime NO.176/2017) : Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal Sessions Judge (Special Court for SC/ST (Prevention of Atrocities) Act, Ramanathapuram to consider the bail application of the petitioners on the same day of his surrender itself in Crime No.176/2017 on the file of respondent police.

For Petitioners : Mr.D.S.Haroon Rasheed
For Respondents : Mr.A.P.Balasubramani
Government Advocate (Crl.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 Sessions Judge (Special Court for SC/ST (Prevention of Atrocities) Act, Ramanathapuram to consider the Bail application of the petitioners on the same date of surrender in Crime No.176 of 2017 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 365, 342, 294(b), 323, 506(i) of IPC and Section 3(1)(s) 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, Mr.K.Karmegam, Special Sub Inspector of Police, Ramanathapuram Town Police Station, is present before this Court.

4.The learned Government Advocate (Criminal side) takes notice for the respondents and submitted that the injured has been discharged from the hospital and that there is no previous case against the petitioners.

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 learned Principal Sessions Judge (Special Court for SC/ST (Prevention of Atrocities) Act, Ramanathapuram, in respect of Crime No.176 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.176 of 2017 the learned Principal Sessions Judge (Special Court for SC/ST (Prevention of Atrocities) Act, Ramanathapuram, 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 Principal Sessions Judge (Special Court for SC/ST (Prevention of Atrocities) Act, Ramanathapuram.

2.The Deputy Superintendent of Police,
Ramanathapuram Town, Ramanathapuram District.

3.The Sub-Inspector of Police,
Ramanathapuram Town Police Station, Ramanathapuram District.

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

+One cc to Mr.D.S.Haroon Rasheed, Advocate, SR.No.54376

Mrn/RR

RL/6C/2P/MR/SAR4/8.5.2017

Order made in
Cr1.O.P. (MD) No.5240 of 2017