



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.5305 of 2017

1.Thambi @ Nachimuthu

2.Eswaran @ Mahudeeswaran : Petitioners/Accused No.1 and 2

Vs.

1.State represented by
The Deputy Superintendent of Police,
Palani,
Dindigul District.

2.The Inspector of Police,
Keeranur Police Station,
Dindigul District.
(Crime No.88/2017)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District and Sessions Judge (PCR), Dindigul to consider the bail application to be file by the petitioners in Crime No.88 of 2017 on the file of respondent police and to accept their surrender on the same day on merits.

For Petitioners : Mr.M.Murugesan
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 Principal District and Sessions Judge (PCR), Dindigul to consider the Bail application of the petitioners on the same date of surrender in Crime No.88 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 offence under Section 323 of IPC and Section 3(1)(xi) of the 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. Today, Mr.S.Vaampurajan, Special Sub Inspector of Police, Keeranur Police Station, is present before this Court.

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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 pervious 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 Principal District and Sessions Judge (PCR), Dindigul, in respect of Crime No.88 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.88 of 2017 the Principal District and Sessions Judge (PCR), 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.

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

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

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

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

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

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

+1CC to M/S.M.Murugesan, Advocate, SR.No. 54461

Order made in
Cr1.O.P.(MD)No.5305 of 2017

Dated:27.04.2017