



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2017**

CORAM:

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

WEB COPY

Crl.O.P.(MD)No.5324 of 2017

1.Kasimayan

2.Jaya

: Petitioners

Vs.

1.The State,

Rep. by the Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.

(Crime No.31/2017).

2.The Deputy Superintendent of Police,

Nilakottai Taluk,
Dindigul District.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned District and Sessions Judge (PCR Court), Dindigul District, to dispose the bail application filed by the petitioner on merits on the same day of his surrender before the above mentioned concerned Court in pending investigation of Crime No.31 of 2017 on the file of Inspector of Police, Ammayanaickanur Police Station, Dindigul District.

For Petitioners : Mr.D.Selvaraj

For Respondents : Mr.P.Kandasamy,
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 District and Sessions Judge (PCR Court), Dindigul District, to accept the surrender of the petitioners and consider the bail application on merits on the same day of their surrender, in Crime No.31 of 2017 pending on the file of the 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 370(4) of the Indian Penal Code, 9, 16, 18 of Bonded Labour System (Abolition) Act, 1976 and 3(1)(h), 3(2)(va) of 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. 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 learned District and Sessions Judge (PCR Court), Dindigul District, in respect of Crime No.31 of 2017 on the file of the 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.31 of 2017, the learned District and Sessions Judge (PCR Court), Dindigul 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(A.S)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.

3.The Deputy Superintendent of Police,
Nilakottai Taluk,
Dindigul District.

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

+1cc to Mr.D.SELVARAJ Advocate in SR. No.55016

SML

JS/JC/SAR.4/2P-6C/4.05.2017