



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.V. MURALIDARAN

Crl.O.P. (MD) No.5935 of 2017

1.Somasundaram

2.Indra @ Chitra

: Petitioners / Accused 1 & 3

Vs.

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

2.The State rep. By its
The Sub Inspector of Police,
Alaganallur Police Station,
Madurai District.

(Crime No.249 of 2017)

: Respondents / Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned III Additional Sessions Judge for P.C.R Cases, Madurai to accept the surrender of the petitioners and to consider his bail application on the same day in connection with Crime No.249 of 2017 on the file of the Sub Inspector of Police, Alaganallur Police Station, Madurai District.

For Petitioners

: Mr.S.Alagusundar

For Respondents

: Mr.A.P.Balasubramani,

Government Advocate (Crl.side)

ORDER

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 Sessions Judge for P.C.R Cases, Madurai to accept the surrender of the petitioners and to consider his bail application on the same day in connection with Crime No.249 of 2017 on the file of the Sub Inspector of Police, Alaganallur Police Station, Madurai District.

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), 324, 506(i) IPC r/w 3(i) (1), 3(1)(S), 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 III Additional Sessions Judge for P.C.R Cases, Madurai, in respect of Crime No.249 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.249 of 2017, the learned III Additional Sessions Judge for P.C.R Cases, 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 (V.O)

/True copy/

Sub Assistant Registrar

To

1.The III Additional Sessions Judge for P.C.R Cases,
Madurai.

2.The Deputy Superintendent of Police,
Samayanallur, Madurai District.

3.The Sub Inspector of Police,
Alaganallur Police Station, Madurai District.

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

+1 CC to M/s.S.ALAGUSUNDAR, Advocate, SR No. 56879

PS/GK

PSM/RSK/SAR3/19.05.2017/2P/6C