



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.5978 of 2017

WEB COPY

1. Dinesh
2. Annadurai @ Kubendran
3. Kabilan : Petitioners/Accused No.1 to 3
Vs.

State rep. By

1. The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.

2. The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

(Crime No.205 of 2017) : Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned I Additional District and Sessions Judge Cum P.C.R Court, Thanjavur to consider the bail application of the petitioners on the same day of their surrender in Crime No.205 of 2017 on the file of the respondent police.

For Petitioners : Mr.P.Vadivel
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 I Additional District and Sessions Judge Cum P.C.R Court, Thanjavur to consider the bail application of the petitioners on the same day of their surrender in Crime No.205 of 2017 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 147, 148, 294(b), 324, 506(ii) IPC r/w 3(i)(r), 3(i)(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 I Additional District and Sessions Judge Cum P.C.R Court, Thanjavur, in respect of Crime No.205 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.205 of 2017, the learned I Additional District and Sessions Judge Cum P.C.R Court, Thanjavur, 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/-

Vaccation officer (CS II)

/True copy/

Sub Assistant Registrar

To

1.The I-Additional and Sessions Judge Cum P.C.R Judge,
Thanjavur

2.The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.

3.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

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

+1cc to Mr.P.Vadivel, Advocate, SR.56672

Cr1.O.P. (MD) No.5978 of 2017
17.05.2017

PS/GK

kk/RSK/SAR4-18.05.2017-2P-6C