

**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.5988 of 2017**

1.Siva @ Sivasubramanian

2.Karthick

: Petitioners

Vs.

1.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.

2.The State rep. By its
The Sub Inspector of Police,
Seithur Police Station,
Virudhunagar District.
(Crime No.166 of 2017)

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal Sessions Court, Virudhunagar District at Srivilliputtur (Special Court for SC/ST Act cases) to consider the bail application of the petitioners in Crime No.166 of 2017 on the file of the 2nd respondent.

For Petitioners : Mr.G.Marimuthu

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 Principal Sessions Judge, Virudhunagar District at Srivilliputtur (Special Court for SC/ST Act cases) to consider the bail application of the petitioners in Crime No.166 of 2017 on the file of the 2nd respondent.

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), 323, 324, 506(ii) IPC r/w 3(1)(r)(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 Principal Sessions Judge for P.C.R. Cases, Virudhunagar, in respect of Crime No.166 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.166 of 2017, the learned Principal Sessions Judge for P.C.R. Cases, Virudhunagar, 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/-

Vacation Officer

/True copy/

Sub Assistant Registrar

To

1.The learned Principal Sessions Judge cum P.C.R. Judge,
Virudhunagar

2.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.

3.The Sub Inspector of Police,
Seithur Police Station,
Virudhunagar District.

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

+1 CC to Mr.G.Marimuthu, Advocate, SR No. 22436

PS/GK

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