



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.6037 of 2017

1.Gowtham

2.Ranjith

: Petitioners

Vs.

State rep. By

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

2.The Sub-Inspector of Police,
Satptur Police Station,
Madurai District.

(In Crime No.120 of 2017)

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1980, Madurai, to accept the surrender of the petitioners/accused and consider the petitioners' bail application on the date of surrender itself in Crime No.120 of 2017 on the file of the respondent Police.

For Petitioners

: Mr.T.Vadivelan

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 III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1980, Madurai, to accept the surrender of the petitioners/accused and consider the petitioners' bail application on the date of surrender itself in Crime No.120 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, 341, 294(b), 324 IPC r/w 3(i)(r), 3 (e) of the Criminal Law 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 District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1980, Madurai, in respect of Crime No.120 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.120 of 2017, the learned III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1980, 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
VACATION OFFICER

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The III Additional District and Sessions Judge,
Madurai.
- 2.The Deputy Superintendent of Police,
Peraiyur,
Madurai District.
- 3.The Sub-Inspector of Police,
Satptur Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC TO MR.T.VADIVELAN, ADVOCATE, SR NO.56852

PS/GK

MAS/JC/SAR3:19.05.2017:2P-6C

Order made in
Crl.O.P. (MD) No.6037 of 2017
Dated: 17.05.2017