



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

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THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P. (MD)No.6057 of 2017

1.Riyaj
2.Apsar @ Mohamed Apsar
3.Sihafarees
4.Abdulkalam : Petitioners

Vs.

1.The Deputy Superintendent of Police,
Thiruvidadaimaruthur,
Thanjavur District.
2.The State rep. By its,
The Inspector of Police,
Thiruvidadaimaruthur Police Station,
Thanjavur District.
In Crime No.90 of 2017 : Respondents

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 PCR Court, Thanjavur, to consider the bail application of the petitioners on the same day of their surrender in Crime No.90 of 2017 on the file of the respondent Police.

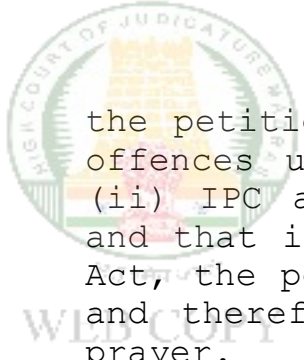
For Petitioners : Mr.B.Senthil Kumar
For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

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 PCR Court, Thanjavur, to consider the bail application of the petitioners on the same day of their surrender in Crime No.90 of 2017 on the file of the respondent Police.

<https://hcservices.ecourts.gov.in/hcservices/>

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), 323, 324, 379 and 506 (ii) IPC and Section 3(2)(va), 3(1)(s) and 3(1)(r) of SC/ST Act 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 PCR Court, Thanjavur, in respect of Crime No.90 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.90 of 2017, the learned I Additional District and Sessions Judge cum PCR 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/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

- 1.The I Additional District and Sessions Judge cum PCR Court, Thanjavur.
- 2.The Deputy Superintendent of Police, Thiruvudaimaruthur, Thanjavur District.
- 3.The State rep. By its, The Inspector of Police, Thiruvudaimaruthur Police Station, Thanjavur District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



+1 cc to Mr.B.Senthil Kumar , Advocate in SR.No. 56837

ps/gk

AE/RSK/SAR1/24.05.2017/3P/6C

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Order made in
Cr1.O.P. (MD) No.6057 of 2017
Dated: 17.05.2017