



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

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THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

CrI.O.P.(MD)No.6072 of 2017

1.Selvakannan

2.Lakshmanan @ Lakshmirajan

3.Azhaguraja

: Petitioners/Accused 1-3

Vs.

State rep. By its,
The Deputy Superintendent of Police,
Karuppayoorani Sub-Division, Madurai.
(Crime No.176 of 2017 of
Karuppayoorani Police Station),
Madurai District.

: Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to accept the surrender of the petitioners in Crime No.176 of 2017 pending on the file of the respondent Police by the learned III Additional Sessions Judge (PCR), Madurai and enlarge the petitioners on bail on the same day of surrender.

For Petitioners

: Mr.S.Ravi

For Respondent

: Mr.A.P.Balasubramani,

Government Advocate (CrI.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 Sessions Judge (PCR), Madurai, to consider the bail application of the petitioners on the same day of their surrender in Crime No.176 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), 323, 324, 427 and 379 (NP) IPC and Section 4 of TNPHW Act and Sections 3(I)(r), 3(s) and 3(va) of SC/ST (POA) 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.

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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 (PCR), Madurai, in respect of Crime No.176 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.176 of 2017, the learned III Additional Sessions Judge (PCR), 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/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The III Additional Sessions Judge (PCR),
Madurai.
2. The Deputy Superintendent of Police,
Karuppayoorani Sub-Division, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Inspector of Police,
Karuppayoorani Police Station,
Madurai District.

+ 1 CC TO Mr.S.RAVI, ADVOCATE IN SR No. 56666

PS/GK

<https://hccpcsb.court.gov.in/Services/> 19/05/2017 : 2P/6C

Order made in
Crl.O.P. (MD) No.6072 of 2017
Dated: 17.05.2017