



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P.(MD)No.6119 of 2017

1.Ponnusamy
2.Boominathan

: Petitioners/Accused No.1,2

Vs.

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

2.The State rep. By its
The Inspector of Police,
Checkkanurani Police Station,
Madurai District.

(Crime No.190 of 2017)

: Respondents/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Special Judge for SC/ST (Prevention of Atrocities) Act / PCR Unit, III Additional District Judge, Madurai to consider the bail application of the petitioners on the same day of their surrender in Crime No.190 of 2017 on the file of the respondent police.

For Petitioners : Mr.S.Muniyandi
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 Special Judge for SC/ST (Prevention of Atrocities) Act, learned III Additional District Judge for P.C.R Cases, Madurai to consider the bail application of the petitioners on the same day of their surrender in Crime No.190 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 294(b), 427, 506(i) IPC r/w 3(i) (1), 3(1)(s) 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 III Additional District Judge for P.C.R Cases, Madurai, in respect of Crime No.190 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.190 of 2017, the learned III Additional District Judge for P.C.R Cases, 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(V.O)

/True Copy/

Sub Assistant Registrar

To

1. The learned III Additional District Judge for P.C.R Cases,
Madurai

2.The Deputy Superintendent of Police,
Usilampatty,
Madurai District.

3.The Inspector of Police,
Checkkanurani Police Station,
Madurai District.

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

+1cc to M/s.S.MUNIYANDI Advocate in SR. NO.56832

PS/GK

JS/RSK/SAR.3/19.05.2017/2P-6C