



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.6163 of 2017

1.Vellaisamy
2.Palamalai
3.Moorthy
4.Muthu

:Petitioners/Accused Nos.1 to 4

Vs.

The State through
the Inspector of Police,
Puthanatham Police Station,
Trichy District.
(Crime No.63 of 2017)

:Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned principal Sessions Judge, Trichy District (Special Court for SC/ST Act cases), to consider the bail application of the petitioners in Crime No.63 of 2017 on the same day of surrender and dispose the same on its merits in accordance with law.

For Petitioners	: Mr.C.Kandha Vadivelan
For Respondent	: 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, Trichy District (Special Court for SC/ST Act cases), to accept the surrender of the petitioners and consider their bail application on the same day in connection with Crime No.63 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), 323 and 506(i) I.P.C. r/w Section 3(1)(r) and 3(1)(s) of the Scheduled Caste and the Scheduled Tribes (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 respondent.

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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 Principal Sessions Judge, Trichy District (Special Court for SC/ST Act cases), in respect of Crime No.63 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.63 of 2017, the learned Principal Sessions Judge, Trichy District (Special Court for SC/ST Act cases), 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 Principal Sessions Judge, Trichy District
(Special Court for SC/ST Act cases)
2. The Inspector of Police,
Puthanatham Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. P.GANAPATHI SUBRAMANIAN, Advocate, SR.No.56805