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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.01.2017
CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.631 of 2017

1.Sathiyendran
2.Velmurugan @ Periyadurai
3.Anand
4.Irulandi
5.Ramar
6.Periyasamy : Petitioners/A1 to A3, A5, A8and A9

-vs-

1.The Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.

2.The State rep. by
The Inspector of Police,
Palaiyanoor Police Station,
Sivagangai District. : Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Court for exclusive Trial of case under SC/ST (POA) Act, 1989, Sivagangai to accept the surrender of the petitioners and consider the petitioners bail application on the date of surrender itself in Crime No.2 of 2017 on the file of the Respondent No.2.

For Petitioners : Mr.R.Boominathan
For Respondents : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned Special Court for exclusive Trial of case under SC/ST (POA) Act, 1989, Sivagangai, to accept the surrender of the petitioners and consider the petitioners bail application on the date of surrender itself, in Crime No.2 of 2017 on the file of the Respondent No.2.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 147, 148, 341, 294(b), 352 IPC and Section 3(1)(r), 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.2 of

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2017 and that in view of the specific bar under Section 18 of the SC & S.T. (Prevention of Atrocities) Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioner has come forward with the present petition for the said prayer.

3.Heard Mr.A.P.Balasubramani, the learned Government Advocate (Crl.Side), who takes notice for the respondents.

4.Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

> The petitioners are directed to surrender before the learned Special Court for Exclusive Trial of the case under SC/ST (POA) Act 1989, Sivagangai, within fifteen days from today and if they filed any bail application in this crime number, learned Special Court for Exclusive Trial of the case under SC/ST (POA) Act, 1989, Sivagangai, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1.The Deputy Superintendent of Police,
Manamadurai Rang,
Sivagangai District.

2. The Inspector of Police,
Palaiyanoor Police Station,
Sivagangai District.

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

+1cc to Mr.R.Boominathan,Advocate Sr.No.3561

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