



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2017

CORAM

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

CrI.O.P.(MD) No.784 of 2017

- 1.Mahendran
- 2.Vinothkumar
- 3.Rajesh
- 4.Sasi
- 5.Kamudurai
- 6.Prabhu
- 7.Vijayamani
- 8.Ramar
- 9.Raja Sekar
- 10.Arivu
- 11.Deva
- 12.Chellakamu
- 13.Jeyaprakash
- 14.Palpandi
- 15.Vijayan
- 16.Ajithkumar
- 17.Vijayakumar

: Petitioners/A1 to A6, A8,A9, A11, A14,
A18, A21, A27, A28, A33, A36 and A37

-vs-

- 1.The Deputy Superintendent of Police,
Theni Sub Division, Theni.
- 2.State through
The Inspector of Police,
Veerapandi Police Station,
Theni District.

: Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Principal District Judge (PCR Court), Theni, to consider the bail application of the petitioners/Accused in Crime No.22 of 2017 on the file of the respondent police on the same day of surrender, on merits.

For Petitioners : Mr.Maharaja

For Respondents : Mr.K.Anbarasan

Govt. Advocate (CrI.Side)

**O R D E R**

This petition has been filed, seeking to direct the Principal District Judge (PCR Court), Theni, to consider the bail application of the petitioners on the same day of their surrender in connection with the case in Crime No.22 of 2017 pending on the file of the respondents police.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 147, 148, 294(b), 323, 324, 336, 285, 506 (ii) IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Act (POA) Amended Act, in Crime No.22 of 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 petitioners have come forward with the present petition for the said prayer.

3.Heard Mr.K.Anbarasan, learned Government Advocate (CrI.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 Principal District Judge (PCR Court), Theni, within fifteen days from today and if they filed any bail application in this crime number, the learned Principal District Judge (PCR Court), Theni, 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,
Theni Sub Division, Theni.

2.The Inspector of Police,
<https://hcservices.ecourts.gov.in/hcservices/>
Veerapandi Police Station,
Theni District.



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

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+1 cc to MR.M.MAHARAJA, Advocate SR.No.4749

Cr1.O.P. (MD) No.784 of 2017
30.01.2017

SMA/CM-MSA/03.02.2017:3P/5C