



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

Crl.O.P.(MD).No.887 of 2017

1.Muruganantham
2.Gobi

.. Petitioners/Accused Nos.2 &3

-Vs-

State rep. by,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.589 of 2016)

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge, Special Court for PCR Cases, Sivagangai, to consider the bail application of the Petitioners, to be filed in Crime No.589 of 2016, on the file of the respondent police and to accept their surrender, on the same day on merits.

For Petitioners : Mr.R.Balamuruganantham
For Respondent : Mr.A.P.Balasubramani
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking direction to the Learned Sessions Judge, Special Court for PCR Cases, Sivagangai, to accept the surrender of the Petitioners and consider the bail application on the same day in Connection with the Crime No.589 of 2016, pending investigation on the file of the respondent police.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (crl. side) for the respondent.

3.The petitioners are arrayed as accused Nos.2 and 3 in Crime No. 589 of 2016 for the alleged offences punishable under Sections 294(b), 506(2) of IPC, read with Section 3(1)(r) and 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 up with this petition.

4. Considering the nature of the offences and the request made by the petitioners, this Court issues the following direction:-

"The petitioners are directed to surrender before the learned Sessions Judge, Special Court for PCR Cases, Sivagangai within ten days from the date of receipt of a copy of this order and to file bail application. The learned Sessions Judge, Special Court for PCR Cases, Sivagangai, is directed to accept the surrender of the petitioners in Crime No.589 of 2016 and consider the petitioners' bail application and dispose of the same on merits and in accordance with law, on the same day of their surrender."

5. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Sessions Judge,
Special Court for PCR Cases,
Sivagangai.
2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr. R. BALAMURUGANANTHAM, ADVOCATE IN SR No. 4661

PJL

TE/MR-VB/SAR-II : 02/02/2017 : 2P/5C

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