



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2017

CORAM

THE HON'BLE MR. JUSTICE G. CHOCKALINGAM

Crl.O.P. (MD) No.909 of 2017

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1. Malar Mannan
2. Sangaralingam
3. Santhuru

: Petitioner/A1 to A3

-vs-

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

2. State by Inspector of Police,
Madagupatti Police Station,
Sivagangai District.

: Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Sessions Judge Special Court for trial of SC & ST (POA Act), Sivagangai District, to accept the surrender of the petitioners in connection with the Crime No.4 of 2017, pending investigation on the file of the respondent police and to consider and pass orders in the bail application on the same day.

For Petitioners : Mr.V.Kannan

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

O R D E R

This petition has been filed, seeking to direct the learned Sessions Judge Special Court for trial of SC & ST (POA Act), Sivagangai District, to consider the bail application of the petitioners/A1 to A3 on the same day of their surrender in connection with the case in Crime No.4 of 2017 pending on the file of the 2nd respondent police.

2. The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 294(b), 323, 506(ii) IPC and Section 3(1)(r)(s) of SC/ST (POA) 2015, in Crime No.4 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 (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:-

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The petitioners are directed to surrender before the learned Sessions Judge Special Court for trial of SC & ST (POA Act), Sivagangai District, within fifteen days from today and if they filed any bail application in this crime number, learned Sessions Judge Special Court for trial of SC & ST (POA Act), Sivagangai District, 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,
Sivagangai,
Sivagangai District.

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

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

+1cc to Mr.V.Kannan, Advocate, Sr.No.4908

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AE/RR MS/SAR1/03.02.2017/2p/5c

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