



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2017

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P. (MD) No.978 of 2017

1.Mahalingam
2.Alagar
3.Murthy
4.Mani @ Manikandan
5.Nagajothi : Petitioners/A3, A5, A7, A9 and A11

-vs-

1.The State re. By
The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.
2.The Inspector of Police,
Kallikudi Police Station,
Madurai District.
(In Crime No.25/2017) : Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai, to consider the bail application on the same day of their surrender, if any filed by the petitioners/accused Nos.3, 5, 7, 9 and 11, in Crime No.25 of 2017 registered by the 2nd respondent herein.

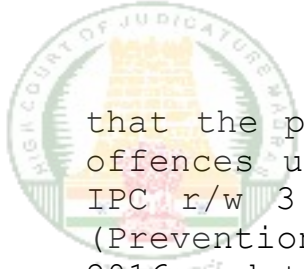
For Petitioners : Mr.R.Gowrishankar
For Respondents : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merits, in relating to Crime No.25 of 2017, on the file of the respondents police.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The learned counsel for the petitioners has submitted



that the petitioners have been falsely implicated for the alleged offences under Sections 147, 341, 294(b), 427, 323, 324, 506(2) IPC r/w 3(2)(va) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act 2015, in Crime No.637 of 2016 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, the learned Government Advocate (Cr1.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 III Additional District and Sessions Judge (PCR Court), Madurai, within fifteen days from today and if they filed any bail application in this crime number, learned III Additional District and Sessions Judge (PCR Court), Madurai, 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

/True Copy/

Sub Assistant Registrar

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To:

1.The Deputy Superintendent of Police,
Thirumangalam, Madurai District.

2.The Inspector of Police, Kallikudi Police Station,
Madurai District.

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

4.III Additional District and Sessions Judge,
PCR Court Madurai.

+1CC to Mr.R.Gowrishankar, Advocate Sr.No.5169

MKV/PM/SAR-I-3.2.17-2p-5C