

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.10.2018
CORAM :
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P.No.24674 of 2018

1.V.Suresh
2.T.Thiyagarajan .. Petitioners

Vs

1.State, rep. by
The Deputy Superintendent of Police,
Muthupettai,
Thiruthuraipoondi Taluk,
Tiruvarur District.

2.The Inspector of Police,
Edaiyur Police Station,
Tiruvarur District.

3.A.Ramesh .. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 1st Additional District and Sessions Judge (PCR Court), Thanjavur to accept the surrender of the petitioners and consider the petitioners' bail application on the same day in Crime No.132 of 2018 on the file of the second respondent police.

For Petitioners : Mr.M.Vijayaragavan

For Respondents : Ms.P.Kritika Kamal
Government Advocate (Crl. Side)
for R1 and R2

O R D E R

This Criminal Original Petition has been filed to direct the 1st Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioners and consider the petitioners' bail application on the same day in Crime No.132 of 2018 on the file of the second respondent police.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 341, 323, 506(ii) IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(v-a) of the Scheduled Caste and the Scheduled Tribes [Prevention of Atrocities] Amendment Act, 2015, and 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 forward with the above prayer.

3. The learned Government Advocate (Crl. Side) takes notice for the respondents 1 and 2.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case, and in view of the amendments made in the Scheduled Caste and the Scheduled Tribes [Prevention of Atrocities] Act, 1989, this Court is of the view that the usual directions that were issued by this Court cannot be issued routinely in all cases. Therefore, the petitioners are directed to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, the learned 1st Additional District and Sessions Judge (PCR Court), Thanjavur, shall consider the bail application, in the event of the petitioners filing such application, on the same day, on merits and in accordance with law, after issuing notice to the victims under Section 15(A) of the SC/ST Act.

5. This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The I Additional District and Sessions Judge,
(PCR Court),
Thanjavur.

2.The Deputy Superintendent of Police,
Muthupettai,
Thiruthuraipoondi Taluk,
Tiruvarur District.

3.The Inspector of Police,
Edaiyur Police Station,
Tiruvarur District.

4.The Public Prosecutor
High Court, Madras

+1cc to Mr.M.Vijayaragavan, Advocate SR.NO.71588

SKV(CO)
sm:17.10.2018

CRL.OP.No.24674 of 2018