



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P. (M.D) No.8444 OF 2018

1. Subramaniyan
2. Damodharan
3. Thiyagarajan
4. Sivasurya
5. Prabhu

..Petitioners

Vs

1. The State rep by
The Deputy Superintendent of Police
Papanasam, Thanjavur District.

2. The Inspector of Police
Melathur Police Station
Thanjavur District
(Crime No. 36 of 2018)

3. Pandiyan

..Respondents.

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned first Additional District Judge (PCR) Thanjavur, Thanjavur District to accept the surrender of the petitioners and consider the bail application on merits on the date of surrender in Crime No. 36 of 2018 on the file of the second respondent police on the very same day.

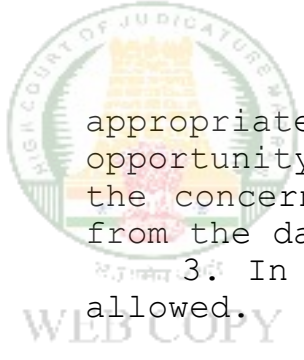
For Petitioners : Mr.M.Pitchaimuthu

For Respondents : Mr.A.P.G.Ohm Chairma Prabhu,
1 and 2 Government Advocate (Crl. Side)

O R D E R

This petition is filed for a direction to the learned first Additional District Judge (PCR) Thanjavur, Thanjavur District, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.36 of 2018, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2.In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned first Additional District Judge (PCR) Thanjavur, Thanjavur District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.36 of 2018 and pass



appropriate orders in accordance with law after affording due opportunity to the victim. The petitioners shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of receipt of a copy of this Order.

3. In view of the above, the Criminal Original Petition stands allowed.

Sd/
Vacation officer

/True copy/

Sub Assistant Registrar

To

1. The Ist Additional District Judge (PCR) Thanjavur,
Thanjavur District
2. The Deputy Superintendent of Police
Papanasam, Thanjavur District.
3. The Inspector of Police
Melathur Police Station
Thanjavur District
4. The Additional Public Prosecutor,
High Court, Madurai.

+1cc to Mr.M.PITCHAIMUTHU, Advocate, SR.No. 65866

CRL.O.P.(M.D) No.8444 of 2018
17.05.2018

AAV
KK/SKN RSK/SAR-1/31.05.2018/2P-6C