



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2017

CORAM:

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**THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

Crl.O.P.(MD).Nos.13281 and 13282 of 2017

in Crl.O.P.(MD).No.13281 of 2017

1.Boominathan

2.Subramani

3.Karuppiah @ Muthumari .. Petitioners / Accused No.1,3 & 7

in Crl.O.P.(MD).No.13282 of 2017

1.Raja

2.Sundar

3.Nagaraj .. Petitioners / Accused No.4,5 & 6

Vs.

1.State Represented by  
The Deputy Superintendent of Police,  
Tiruchuli Taluk,  
Virudhunagar District.

2.State Represented by  
Inspector of Police,  
Narikudi Police Station,  
Virudhunagar District.  
(Crime No.121 of 2017)

.. Respondents 1&2 /  
Complainants in both petitions

3.Ramalakshmi .. Respondent No.3/ Defacto - Complainant  
in both petitions

COMMON PRAYER: Criminal Original Petitions are filed under Section 482 of Cr.P.C., praying to direct the District and Sessions Judge Special Court for (PCR) Act, Srivilliputhur to consider the surrender and bail application of the respective petitioners on the same day on merits in Crime No.121 of 2017 on the file of the



For Petitioners

In both petitions

: Mr.M.Chellapandian

For respondents 1 & 2

In both petitions

: Mr.C.Ramesh

Additional Public Prosecutor

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COMMON ORDER

These applications have been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondents 1 & 2 in both petitions.

3.The petitioners in both petitions are arrayed as accused in Crime No.121 of 2017 in respect of the offences under Sections 147, 323, 307 and 506(i) IPC r/w 3(1) (r), 3(1)(s), 3(2) (Va) of SC / ST (POA) 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 forward with the said prayer.

4.Considering the submissions of both sides and also considering the nature of the prayer in these cases in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the District and Sessions Judge Special Court for (PCR) Act, Srivilliputhur, is directed to accept the surrender of the petitioners in both petitions and consider their bail applications, in the event of the petitioners in both petitions filing such petition in Crime No.121 of 2017 on the file of the respondent police and dispose of the same on merits and in accordance with law on the same day.

5.These petitions are disposed of accordingly.

Sd/-

Vacation Officer/

Assistant Registrar

/True Copy/

Sub-Assistant Registrar



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1.The District and Sessions Judge Special Court for (PCR) Act,  
Srivilliputhur.

2.The Deputy Superintendent of Police,  
Tiruchuli Taluk,  
Virudhunagar District.

3.The Inspector of Police,  
Narikudi Police Station,  
Virudhunagar District.  
(Crime No.121 of 2017).

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

+One cc to Mr.M.Chellapandian, Advocate, SR.No.81443, 81444

mm

RL/6C/3P/SKN/RSK/SAR1/6/10/2017

Cr1.O.P(MD)Nos.13281 and 13282 of 2017

28.09.2017