



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2016

CORAM:

THE HONOURABLE DR. JUSTICE P.DEVADASS

Criminal Original Petition (MD) No.11631 of 2016

WEB COPY

1.Rahman @ Abdul Rahman
2.Satham Hussain
3.Sheik Mohamed
4.Sheik @ Sheik Kaja Mydeen
5.Kather Gani

... Petitioners/Accused No.3 to 7

vs.

State, rep.through
The Deputy Superintendent of Police
Omachikulam Sub-Division
Madurai District

... Respondent/Complainant

PRAYER: This petition is filed under Section 482 Cr.P.C to issue a direction to the learned III Additional District & Sessions Judge and Special Court for P.C.R.Cases, Madurai, to consider the bail application of the petitioners on the same day of their surrender in Crime No.262 of 2016, on the file of the respondent Police.

For Petitioners : Mr.A.Syed Abdul Kather

For Respondent : Mr.P.Kandasamy
G.A.(Crl.Side)

O R D E R

The petitioners, who are A3 to A7 in Crime No.262 of 2016 under Sections 147, 148, 294(b), 323, 324, 506(ii) I.P.C., and Section 3(2) (va) of S.C. / S.T. (P.O.A.) Act, registered by Silaiman Police Station, seeks a direction to the learned III Additional District & Sessions Judge, Special Court for P.C.R.Cases, Madurai, to consider their bail petition on the date of their surrender.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side) for the respondent.

3. The petitioners are accused of having committed offences under S.C. / S.T. (P.O.A.) Act. As per Section 18 of the Act, advance bail petition under Section 438 Cr.P.C. will not lie.

4. In the circumstances, the learned counsel for the petitioners submits that there is no *prima facie* case against the petitioners and seeks a direction to the learned III Additional District & Sessions Judge, Special Court for P.C.R.Cases, Madurai, to dispose of their bail petition on the date of their surrender.



Court for P.C.R.Cases, Madurai, within 10 days from the date of receipt of a copy of this order.

- (ii) On the date of their surrender the said Judge shall dispose of their bail petition according to law.

Sd/

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To

1.The III Additional District & Sessions Judge,
Special Court for P.C.R.Cases,
Madurai.

2.The Deputy Superintendent of Police,
Omachikulam Sub-Division,
Madurai District.

3.The Inspector of Police,
Silaiman Police Station,
Madurai District.

4.The Government Advocate (Criminal Side),
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.Syed Abdul Kather, Advocate in SR.No.37449

Cr1.O.P. (MD) .No.11631 of 2016
14.07.2016

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PA/KBM/SAR II/20.07.2016/2P/6C