



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.1347 of 2016

1.Senthil @ Malaichamy
2.Praveen
3.Aravinth
4.Raghu
5.Lenin @ Elilarasan
6.Rajasekar
7.Kaviarasan
8.Malaichamy
9.Thirugnanam

.. Petitioners/A1 to A9

Vs.

The State,
Rep. by the Inspector of Police,
B1-Melur Police Station,
Madurai District
(Crime No.35 of 2016)

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the III Additional District and Sessions Judge (PCR Court), Madurai to dispose the bail application filed by the petitioners on merits on the same day of their surrender before the above mentioned concerned court in pending investigation of Crime No.35 of 2016 on the file of the respondent police.

For Petitioners :: Mr.R.Devaraman

For Respondent :: Mr.C.Mayil Vahana Rajendran
Additional Public Prosecutor

O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned III Additional District and Sessions Judge (PCR Court) Madurai, to consider the bail application of the petitioners on the same day on their surrender in Crime No.35/2016 pending on the file of the respondent.



2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294(b), 323, 506(ii) I.P.C., r/w 3(i)(x) of S.C. & S.T. Act and Section 3(2)(Va) of POA Amendment 2014 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.

3. The learned Additional Public Prosecutor takes notice for the respondent.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case 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 learned III Additional District and Sessions Judge (PCR Court) Madurai, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.35 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

5. With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.

To

- 1.The III Additional District and Sessions Judge (PCR Court) Madurai
- 2.THE INSPECTOR OF POLICE, B-1 MELUR POLICE STATION,MADURAI DISTRICT.
- 3.The Additional Public Prosecutor,Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.R.Devaraman, Advocate, SR.No. 7017

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