



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.15243 of 2016

1 A.Babu @ Ananth Babu
2 S.Nandhakumar @ Nanda Gopal .. Petitioners/Accused 4 and 6

Vs.

1.The State represented by
The Inspector of Police
P.C.Patti Police Station,
Theni District.
(Crime No.468/2016) .. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Hon'ble Principal District & Sessions Judge, Theni (PCR) to consider the bail application on the same day filed by the petitioners/accused in Crime No.468/2016 dated 05.08.2016 on the file of the respondent police.

For Petitioner : Mr.P.Muthuvijayapandian
For respondents : Mr.K.V.Rajarajan
Government Advocate (Criminal side)

ORDER

This petition has been filed, seeking to direct the learned Principal District & Sessions Judge, Theni (PCR) to consider the bail application of the petitioners/accused on the same day in connection with the case in Crime No.468 of 2016 dated 05.08.2016 pending on the file of the respondent police.

2. Learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections, 342, 147, 148, 324 and 506(ii) IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (PoA) Amendment Ordinance Act, 2014 in Crime No.468 of 2016 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.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Learned Government Advocate (Crl.side) takes notice for the respondent and submits that the main Accused 1 & 2 were already



arrested and are in custody and that injured has been discharged from the hospital.

4. Considering the submission 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 and anticipatory bail, the petitioners are directed to surrender before the learned Principal District & Sessions Judge, Theni (PCR) within ten days from the date of receipt of a copy of this order. The learned Principal District & Sessions Judge, Theni (PCR) is directed to accept the surrender of the petitioners and consider their bail application, in the event of the petitioners filing such petition in Crime No.468 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.

With this observation, this petition is disposed of accordingly.

Sd/
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1 The Principal District & Sessions Judge,
Theni (PCR)

2 The Inspector of Police
P.C.Patti Police Station,
Theni District.

3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

+1 cc to MR.P.MUTHU VIJAYA PANDIAN, Advocate Sr.No.46302

CrI.O.P. (MD) .No.15243 of 2016
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SMA/PV/31/08/2016 :2P/5C