



WEB COPY

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.(MD) No.2019 of 2016

1.Chinnathambi
2.Andisamy

.. Petitioners

Vs.

1.The Deputy Superintendent of Police,
Umatchikulam, Madurai District.

2.The Sub Inspector of Police,
Appan Tirupathi Police Station,
Madurai District.

In Crime No.558 of 2012

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act/III Additional District and Sessions Judge, Madurai to consider the petitioner's bail petition in connection with the P.R.C.No.47 of 2014 in Crime No.558 of 2012 on the file of the respondent police on their surrender on the very same day.

For Petitioners

:: Mr.N.Mariappan

For Respondents

:: 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 Special Judge for SC/ST (Prevention of Atrocities) Act/III Additional District and Sessions Judge, Madurai to consider the bail application of the petitioners on the same day on their surrender in connection with P.R.C.No.47 of 2014 in Crime No.558/2012 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
<https://hcservices.ecourts.gov.in/hcservices/> Sections 323, 506(i) I.P.C., r/w 3(1)(x) of S.C. & S.T. (Prevention of Atrocities) Act, 1989 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 respondents. He would further submit that absconding charge sheet has been filed in P.R.C.No. 47 of 2014 and Non Bailable Warrant has been issued.

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 Special Judge for SC/ST (Prevention of Atrocities) Act/III Additional District and Sessions Judge, Madurai is directed to consider the bail application, in the event of the petitioners filing such petition in connection with P.R.C.No. 47 of 2014 in Crime No.558 of 2012 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(R)

/True Copy/

Sub Assistant Registrar

To

- 1.The Special Judge for SC/ST (Prevention of Atrocities) Act/III Additional District and Sessions Judge, Madurai
- 2.The Deputy Superintendent of Police, Umathikulam, Madurai District.
- 3.The Sub Inspector of Police, Appan Tirupathi Police Station, Madurai District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.Mariappan, Advocate Sr.No.7557

akm/10.02.2016/2p-6c/jgb/dp

Cr1. O.P. (MD) No.2019 of 2016