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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.(MD)No.2032 of 2016

G.Kala

..Petitioners/Accused No.2

Vs

1.State represented by its through
The Inspector of Police,
Town Police Station,
Devakottai, Sivagangai District... Respondent No.1

2.KR.Saravanan ... Respondent No.2
(Impleaded as R.2 by order of
this Court made in CrI.M.P.(MD)No.
1296 of 2016, dated 11.02.2016)

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned P.C.R. Court, Fast Track, Sivagangai District under the SC/ST Act to consider of the bail application on the surrender of the petitioner in connection with Cr.No.30 of 2016 pending investigation on the file of the respondent on merit on the same day.

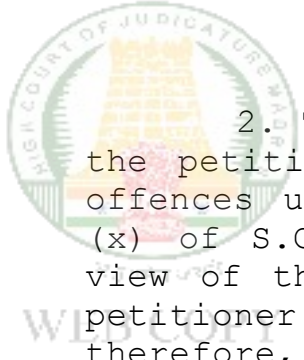
For Petitioner :Mr.R.Ganeshprabu

For Respondent -1 :Mrs.S.Prabha
Government Advocate (CrI.Side)

Respondent -2/
For Impleader : Mr.S.Muthukumar

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned Judge, PCR Court, Fast Track, Sivagangai District to consider the bail application of the petitioner on the same day on her surrender in Crime No.30 of 2016 pending on the file of the respondent.



2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 420, 294(b) and 506(ii) I.P.C., r/w 3(i) (x) of S.C. & S.T. (Prevention of Atrocities) Act and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.

3. The learned Government Advocate(Crl.Side) takes notice for the respondent.

4. The learned Counsel for the second respondent has strongly objected for considering this petition.

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 petitioner cannot move any anticipatory bail, the learned Judge, PCR Court, Fast Track, Sivagangai District is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.30 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

/True Copy/

Sub Assistant Registrar

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To

1. The Inspector of Police,
Town Police Station,
Devakottai, Sivagangai District.

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

3. The P.C.R.Court, Fast Track, Sivagangai District.

+1CC to Mr.R.Ganeshprabhu Advocate Sr.No.8277

+1CC to Mr.S.Muthukumar Advocate Sr.No.8743

GJM/SKS/RR/24.2.16-2p-6C



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