



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2016

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.22792 of 2016

1.Vimal @ Selvakumar

2.Ramaiah

: Petitioners/A3 and A4

-vs-

State rep. by

The Inspector of Police,

Avaniapuram Police Station

Madurai City.

(Crime No.2284/2016)

: 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 consider the bail application of the petitioners to be filed in Crime No.2284 of 2016 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners

: Mr.R.Balamuruganatham

For Respondent

: Mr.A.P.Balasubramanian

Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai, to consider the bail application of the petitioners/A3 and A4 on the same day of their surrender in connection with the case in Crime No.2285 of 2016 pending on the file of the respondent police.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 147, 148, 294(b), 324, 341, 506(ii) IPC r/w Section 3(2)(V) of SC/ST (Prevention of Atrocities) Act, 1989, in Crime No.2284 of 2016 and that in view of the specific bar under Section 18 of the SC & S.T. (Prevention of Atrocities) Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come forward with the present petition for the said prayer.

3.The learned Government Advocate (Crl.Side) takes notice for the respondent and submits that in this case, no one has sustained injury.



4. Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

The petitioners are directed to surrender before the learned III Additional District and Sessions Judge (P.C.R. Court), Madurai, within fifteen days from today and if they filed any bail application in this crime number, learned III Additional District and Sessions Judge, (PCR Court), Madurai, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)

To:

1. The III Additional District and Sessions Judge,
(PCR Court), Madurai.

2. The Inspector of Police,
Avaniapuram Police Station,
Madurai District.

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

+2cc to M/s.R.Balamuruganantham, Advocate in SR.79676 & 80462

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er.

PBK/CK/SAR-II 20/12/2016 ::2P-6C: