



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2016

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P. (MD) No.23281 of 2016

1.N.Selvaraj

2.T.Farooq

: Petitioners/A1 and A2

-vs-

1. The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District.

2. The Inspector of Police,
Peraoorani Police Station,
Thanjavur District.

: Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge (PCR Court), Thanjavur, to consider the bail petition filed by the petitioners on the same day of their surrender in Crime No.301 of 2016 on the file of the 2nd respondent police.

For Petitioners

: Mr.R.Venkateshwar

For Respondents

: Mr.A.P.Balasubramanian

Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned Principal District and Sessions Judge (PCR Court), Thanjavur, to consider the bail application of the petitioners/A1 and A2, on the same day of their surrender in connection with the case in Crime No.301 of 2016 pending on the file of the 2nd respondent police.

2.The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated for the alleged offences under Sections 294(b), 506(i) and 379 IPC r/w Section 3 (i)(r) and Section 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015, in Crime No.301 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. Heard Mr.A.P.Balasubramanian, the learned Government Advocate (CrI.Side), who takes notice for the respondents.

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 Principal District and Sessions Judge (P.C.R. Court), Thanjavur, within fifteen days from today and if they filed any bail application in this crime number, learned Principal District and Sessions Judge, (PCR Court), Thanjavur, 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/
Deputy Registrar

/TRUE COPY/

Sub Assistant Registrar

To:

1. The Principal District and Sessions Judge,
(PCR Court), Thanjavur.
2. The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District.
3. The Inspector of Police,
Peraoorani Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.R.Venkateshwar, Advocate, in SR No.81211.

CrI.O.P. (MD) No.23281 of 2016
15.12.2016

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