



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P(MD) .No.2799 of 2016

1.Bommuraj
2.Annakamu
3.Balakrishnan
4.Jeyalakshmi
5.Parameshwari

.. Petitioners/A1 to A5

Vs.

State rep. By Inspector of Police,
Devathanapatti Police Station,
Theni District.
(Crime No.87 of 2016)

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District and Sessions Judge (PCR Court), Theni to accept the surrender of the petitioners in Crime No. 87 of 2016 on the file of the respondent police and to consider the bail application on the same day.

For Petitioners	:: Mr.A.K.Manickam
For Respondent	:: Mr.K.V.Rajarajan Government Advocate(Cr1.side)

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 Principal District and Sessions Judge (PCR Court), Theni to consider the bail application of the petitioners on the same day on their surrender in Crime No.87 of 2016 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



offences under Sections 147, 294(b), 506(i) I.P.C and Sections 3(1)(v), 3(1)(xv), 3(1)(r) & (s), 3(2)(va) of S.C. & S.T. (Prevention of Atrocities) Amendment Ordinance Act, 2014 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 respondent.

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 Principal District and Sessions Judge (PCR Court), Theni is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.87 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.

5. With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge (PCR Court), Theni.
2. The Inspector of Police,
Devathanapatti Police Station, Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

+1cc to Mr.A.K.Manickam, Advocate Sr.No.9858

akm/18.02.2016/2p-5c/NGM/SS/SAR-I

Cr1. O.P. (MD) No.2799 of 2016