



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2016

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WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.2936 of 2016

1. Duraipandi

2. Palpandi

.. Petitioners/Accused Nos.3 and 4

Vs

The State represented by
The Deputy Superintendent of Police,
Andipatti, Theni District.

(In Cr.No.541 of 2015)

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the District and Sessions Judge (PCR Court), Theni, Theni District to consider the petitioners' bail application on the day of surrender on the same day in Crime NO.541 of 2015 on the file of the respondent police for offence under Sections 341, 323, 355, 294(b) I.P.C. and Section 3(1)(x) of SC/ST Act of 1989.

For Petitioners

:Mr.G.Ganesh Kumar

For Respondent

:Mr.K.V.Rajarajan

Government Advocate (Crl.Side)

ORDER

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned District and Sessions Judge (PCR Court), Theni, Theni District to consider the bail application of the petitioners on the same day on their surrender in Crime No.541 of 2015 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 341, 323, 355, 294(b) I.P.C. and Section 3(1)(x) of SC/ST Act of 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 Government Advocate(Crl.Side) takes notice for the respondents and submitted that the injured has already been discharged from the hospital.

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 District and Sessions Judge (PCR Court), Theni, Theni District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.541 of 2015 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 District and Sessions Judge (PCR Court), Theni,
Theni District.
- 2.The Deputy Superintendent of Police,
Andipatti, Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.G.Ganeshkumar Advocate Sr.No.9716

GJM/SKS/RR/SAR-I-24.2.16-2p-5C

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