



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2016

CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CrI.O.P. (MD) No.2960 of 2016

WEB COPY

1. Premkumar  
2. Meenatchi Sundaram  
3. Thirupathi  
4. Karthik

... Petitioners/Accused Nos. 2 to 5

Vs

1. The Deputy Superintendent of Police,  
Samayanallur, Madurai District.

2. State through the  
The Inspector of Police,  
Samayanallur Police Station,  
Madurai District.

(In Cr.No.38 of 2016)

... Respondents/Respondents

**Prayer:-** Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned III Additional District Judge (PCR Cases), Madurai to accept the surrender of the petitioners and entertain the bail petition in Crime NO.38 of 2016 on the file of the Inspector of Police, Samayanallur Police Station and dispose the bail petition on that day itself.

For Petitioners : Ms.A.S.Rajeswari

For Respondent : Mr.K.V.Rajarajan

Government Advocate (CrI.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 III Additional District Judge (PCR Cases), Madurai to consider the bail application of the petitioners on the same day on their surrender in Crime No.38 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, 148, 294(b), 341, 342, 324, 323, 427, 506(ii) and 307 I.P.C. r/w 3(2)(V) of SC/ST 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 Government Advocate(Crl.Side) takes notice for the respondents and submitted that the accused had attacked the defacto complainant with stick and also with the handle of the knife and 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 III Additional District Judge (PCR Cases), Madurai is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.38 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(CO-DEPT)

/True copy/

Sub Assistant Registrar

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To

1. The III Additional District Judge (PCR Cases), Madurai.

2.The Deputy Superintendent of Police,  
Samayanallur, Madurai District.

3.The Inspector of Police,  
Samayanallur Police Station, Madurai District.

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

+one cc to Ms.A.S.Rajeswari, Advocate in SR.No.10004/16

CSL/SKS-RR/25.02.2016/2p/6c

Crl.O.P.(MD)No.2960 of 2016  
18.02.2016