



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition (MD) No.3927 of 2016

1.Premkumar
2.Siva
3.Kathiresan

... Petitioners/Accused No.4,5& 7

vs.

The State rep by
The Inspector of Police,
Andipatti Police Station,
Theni District.
(Crime No.95 of 2016)

... Respondent/Complainant

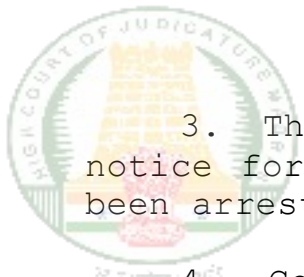
PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned Principal District and Sessions Judge, PCR Court, Theni District in connection with Crime No.95 of 2016 on the file of the respondent police and file an application for the grant of bail on the same day and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law forthwith.

For Petitioners : Mr.M.Jegadeesh Pandian
For Respondent : Ms.S.Prabha G.A.(Crl.Side)

O R D E R

The learned counsel appearing for the petitioners has submitted that the petitioners have come forward with this petition seeking for a direction to the learned Principal District and Sessions Judge, PCR Court, Theni District, to consider the bail application of the petitioners on the same day on their surrender in Crime No.95 of 2016, pending on the file of the respondent Police.

2. The learned counsel for the petitioners has also submitted that the petitioners have been implicated in this case for the alleged offences under Sections 3(2)(Va) SC/ST (POA) amendment Ordinance Act, 2014, and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any bail application and therefore, the petitioners have come forward with the said prayer.



3. The learned Government Advocate (Criminal Side) takes notice for the respondent and submitted that the co-accused have been arrested and remanded to judicial custody.

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 District, is directed to accept the surrender of the petitioners and consider the bail application, in the event of the petitioners filing such petition in Crime No.95 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 the above observation, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(Record)

/True copy/

Sub Assistant Registrar

Madurai Bench of Madras High Court,
Madurai.

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To

1.The Principal District and Sessions Judge,
PCR Court, Theni District.

2.The Inspector of Police,
Andipatti Police Station, Theni District.

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

+1 cc to Mr.M.Jegadeesh Pandian,Advocate SR No12775

rg.AN-MP/SAR-I 07.03.2016 2P/5C

CrI.O.P(MD).No.3927 of 2016
04.03.2016