



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Criminal Original Petition (MD) No.4673 of 2016

1.Rajendran  
2.Dharmar @ Karuppaiah  
3.Muthuraj @ Athimuthu

... Petitioners

vs.

State represented by  
Inspector of Police,  
Elumalai Police Station,  
Madurai District.  
(Crime No.166/2015)

... Respondent

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned III Additional District and Sessions Judge, (PCR Court), Madurai to consider the bail application of the petitioners/accused to be filed in Cr.No.166 of 2015 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners : Mr.P.Sengutturasan

For Respondent : Ms.S.Prabha, G.A.(Crl.Side)

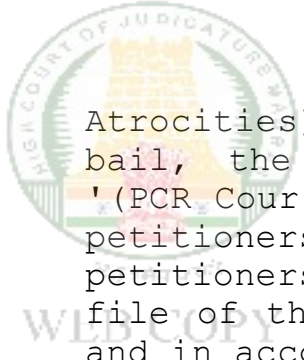
### ORDER

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 III Additional District and Sessions Judge (PCR Court), Madurai, to consider the bail application of the petitioners on the same day on their surrender in Crime No.166 of 2015, 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 147, 294(b) I.P.C., r/w Section 3 (1)(x) of S.C. & S.T. Act, 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 (Criminal Side) 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 III Additional District and Sessions Judge, (PCR Cour), Madurai, is directed to consider the surrender of the petitioners and the bail application, in the event of the petitioners filing such petition in Crime No.166 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.

5. With the above observation, this criminal original petition is disposed of.

Sd/  
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

+1cc to M/s.P.Senguttarasan, Advocate in SR.No.15446

CN/JGB-DP/SAR1/28.03.2016/2P-5C

Cr1.O.P (MD) .No.4673 of 2016

17.03.2016