



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.03.2016
CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.4748 of 2016

WEB COPY

1. R.Kalaiselvi
2. R.Sasikala

... Petitioners/Accused No.3 & 4

Vs.

The Inspector of Police,
All Women Police Station,
Sivagangai.

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Additional Sessions Judge, (Special Court for PCR Act Cases), Sivagangai to consider the bail application filed by the petitioners on the same day, if the petitioners surrender before the learned Additional Sessions Judge, (Special Court for PCR Act Cases), Sivagangai in case in Crime No.5 of 2016 dated 05.03.2016 on the file of the respondent police.

For Petitioners : Mr.R.M.Makesh Kumaravel

For Respondent : Mrs.S.Prabha
Government Advocate (Crl.Side)

O R D E R

The learned counsel for the petitioners submitted that the petitioners have come forward with this petition seeking for a direction to the learned Additional Sessions Judge, Special Court for PCR Act Cases, Sivagangai to consider the bail application filed by the petitioners on the same day, if the petitioners surrender before the learned Additional Sessions Judge, Special Court for PCR Act Cases, Sivagangai in Crime No.5 of 2016 dated 05.03.2016 on the file of the respondent police.

2. The learned counsel for the petitioners also submitted that the petitioners have been implicated in this case for the alleged offences under Sections 417, 294(b), 323, 376, 506(i) of I.P.C., r/w. Section 3 (2)(v) and 3(1)(x) of SC/ST (Prevention of Atrocities) 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. Heard the learned Government Advocate(Crl.side).

4. It is seen that the de-facto complainant and Sasikannan (A1) were love with each other from 2011 onwards and it is stated that they also got married. Earlier, a man missing complaint was given by the same de-facto complainant Abinaya alleging that her husband Sasikannan was in connection with the said complaint, the respondent police registered a case in Crime No.53 of 2016 and the parties arrived at compromise.



5. 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 Additional Sessions Judge, Special Court for PCR Act Cases, Sivagangai is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.5 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(W)

/TRUE COPY/

Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To

1. The Additional Sessions Judge,
(Special Court for PCR Act Cases),
Sivagangai
2. The Inspector of Police,
All Women Police Station,
Sivagangai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.R.M.Mahesh Kumaravel, Advocate in SR.No.16134

Cr1.O.P.(MD)No.4748 of 2016
22.03.2016

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