



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Criminal Original Petition (MD) No.4763 of 2016

1. Eby @ Eby Stanley
2. Balu
3. Bai @ Zaheer Hussain ... Petitioners

vs.

1.The Deputy Superintendent of police
Nilakottai,
Dindigul District.
2.The Inspector of Police,
Vilampatti Police Station, Vilampatti,
Dindigul District
Crime No.40/2016 ... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned Principal Sessions Judge, (PCR Cases), Dindigul, to consider the bail application of the petitioners on the same day on their surrender in Crime No.40/2016, on the file of the 2nd respondent Police.

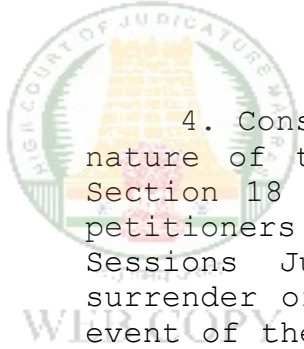
For Petitioners : Mr.R.Babu Jaganath
For Respondent : Mrs.S.Prabha, G.A.(Crl.Side)

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 Sessions Judge, (PCR Cases), Dindigul, to consider the bail application of the petitioners on the same day on their surrender in Crime No.40 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 323 I.P.C., r/w Section 3 (1) (s) 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.
<https://hcservices.ecourts.gov.in/hcservices/>



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 Sessions Judge, (PCR Cases), Dindigul, is directed to accept the surrender of the petitioners and consider their bail application, in the event of the petitioners filing such petition in Crime No. 40 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(C.O.)

/True Copy/

Sub Assistant Registrar.

To

1. The Principal Sessions Judge, (PCR Cases),
Dindigul

2.The Deputy Superintendent of police
Nilakottai,
Dindigul District.

3.The Inspector of Police,
Vilampatti Police Station, Vilampatti,
Dindigul District

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

+1CC to M/S. R. Babu Jaganath, Advocate, SR.No. 15610

Cr1.O.P(MD).No.4763 of 2016
18.03.2016

AM/GSV.PM/SAR-I/24.03.2016/2P/6C