

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 22.03.2016****CORAM****THE HONOURABLE MR.JUSTICE P.N.PRAKASH****Cr1.O.P. (MD) No.4920 of 2016**

1. Gurunathan
2. Mahalakshmi

... Petitioners

Vs

1. The Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent of Police,
Bodinayakanur,
Theni District.
3. The Inspector of Police,
Taluk Police Station,
Bodinayakanur,
Theni District in Crime No.602 of 2015.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the District and Sessions Judge cum PCR Court, Theni to consider the bail application filed by the petitioners on the same day of surrender in Crime No.602 of 2015 on the file of the respondent.

For Petitioners : Mr.K.Asok Kumar Ram

For Respondents : Mrs.S.Prabha

Government Advocate (Cr1.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 District and Sessions Judge cum PCR Court, Theni to consider the bail application filed by the petitioners on the same day of surrender in Crime No.602 of 2015 on the file of the respondent.

2. The learned counsel for the petitioners also submitted that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294(b), 427, 506(i), 379 I.P.C. (NH) 3(2) (V-a) 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. The learned Government Advocate(Crl.side) submitted that no one sustained injury in the alleged occurrence.

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 District and Sessions Judge cum PCR Court, Theni is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.602 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.

With this observation, this petition is disposed of accordingly.

Sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Judge cum PCR Court,
Theni.
2. The Superintendent of Police,
Theni District,Theni.
3. The Deputy Superintendent of Police,
Bodinayakanur, Theni District.
4. The Inspector of Police,
Taluk Police Station,
Bodinayakanur, Theni District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Asok Kumar Ram, Advocate SR.No.16152
CN/SKN-SK/AR1/30.03.2016/2P-7C

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