



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.5227 of 2016

1. Nisha @ Nishantan

2. Raja

... Petitioners/Accused 1 & 2

Vs.

State represented by its  
Inspector of Police,  
Cholavandhan Police Station,  
Madurai District.  
(Crime No.107/2016)

... Respondent/Complainant.

Prayer:Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned III Additional and Sessions Judge (PCR), Madurai to accept the surrender of the petitioners in Crime No.107 of 2016 on the file of the respondent police and to consider their bail application on the same day.

For Petitioners : Mr.G.Balasubramanian  
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 III Additional and Sessions Judge (PCR), Madurai to accept the surrender of the petitioners in Crime No.107 of 2016 on the file of the respondent police and to consider their bail application on the same day.

2. The learned counsel for the petitioners also submitted that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 323, 506(i) of I.P.C., r/w. Section 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. The learned Government Advocate (Crl.side) submitted that the injured has been discharged from the hospital.

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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 and Sessions Judge (PCR), Madurai is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.107 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(T &P)

/True Copy/

Sub Assistant Registrar.

To

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

+2CC to M/S.G.Balasubramanian, Advocate, SR.No.17034.

Crl.O.P. (MD) No.5227 of 2016  
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