



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.5440 of 2016

1. Manikandan
2. Eswari

... Petitioners

Vs.

1. The Deputy Superintendent of Police,
Oomechikulam Sub Division,
Madurai District.
2. The Inspector of Police,
Othakkadai Police Station,
Madurai District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned III Additional District and Sessions Judge (Special PCR Court), Madurai District to consider their bail application filed by the petitioners on the same day of surrender in Crime No.185 of 2016 on the file of the respondent police.

For Petitioners : Mr.V.Vijaya Sethupathy

For Respondents : 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 District and Sessions Judge (Special PCR Court), Madurai District, to consider their bail application filed by the petitioners on the same day of surrender in Crime No.185 of 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 294(b), 324, 355 and 506(ii) of I.P.C., r/w. Section 3(2) (Va) 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. 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 (Special PCR Court), Madurai District is directed to consider the bail application, in the event of



the petitioners filing such petition in Crime No.185 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(CS-II)

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

To

1. The III Additional District and Sessions Judge
(Special PCR Court),
Madurai District.
2. The Deputy Superintendent of Police,
Oomechikulam Sub Division,
Madurai District.
3. The Inspector of Police,
Othakkadai Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.V.Vijaya Sethupathy, Advocate in SR.No.17744

Cr1.O.P. (MD) No.5440 of 2016
30.03.2016

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PA/AAL-MPA/ARI/31.03.2016/2P/6C(IT)