



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.5558 of 2016

- 1.Balathandayutham
- 2.Valli
- 3.Kamaraj

..Petitioners/Accused Nos.1,2 & 5

Vs

1. The Deputy Superintendent of Police,
Keeranur, Pudukkottai District.
2. The Inspector of Police,
Mathur Police Station,
Pudukkottai District.

... Respondents/Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned District and Sessions Judge, Pudukkottai (Special PCR Court), Pudukkottai District to consider their bail application filed by the petitioners on the same day of surrender in Crime NO.37 of 2016 on the file of the respondent police.

For Petitioners : Mr.P.Ganapathi Subramanian

For Respondents : Mrs.S.Prabha

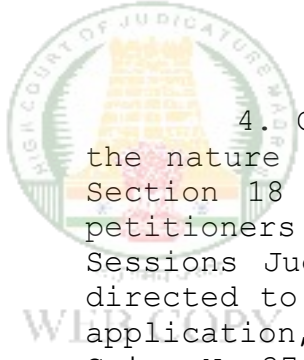
Government Advocate (Crl.Side)

ORDER

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned District and Sessions Judge, Pudukkottai (Special PCR Court), Pudukkottai District to consider the bail application of the petitioners on the same day on their surrender in Crime No.37 of 2016 pending on the file of the respondent.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294(b), 323 I.P.C. r/w Section 3(1)(x) of Scheduled Caste and Scheduled Tribe (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) takes notice for the respondents and submitted that the injured has already been discharged from the hospital.



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, Pudukkottai (Special PCR Court), Pudukkottai District is directed to accept the surrender of the petitioners and consider the bail application, in the event of the petitioners filing such petition in Crime No.37 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 (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Court, Pudukkottai
(Special PCR Court), Pudukkottai District
2. The Deputy Superintendent of Police,
Keeranur, Pudukkottai District.
3. The Inspector of Police,
Mathur Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.P.GANAPATHI SUBRAMANIAN, ADVOCATE IN SR NO. 18897

SSL

TE/JGB-DP/SAR-I : 12/04/2016 : 2P/6C

Cr1.O.P. (MD) No.5558 of 2016
04.04.2016