



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. (MD)No.6082 of 2016

1.Askardeen
2.Tajdeen
3.Jailani

..Petitioners/Accused 1 to 3

Vs

State represented by
The Inspector of Police,
Uthamapalyam Police Station,
Theni Disstric.
(Crime NO.173 of 2016)

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned District and Sessions Judge, (PCR Court), Theni to consider the bail application of the petitioners/Accused to be filed in Cr.No.173 of 2016 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners :Mr.P.Senguttuarasan
For Respondent :Mrs.S.Prabha
Government Advocate (CrI.Side)

O R D E R

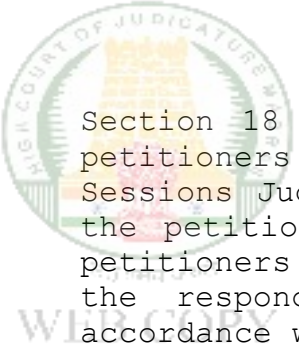
The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned District and Sessions Judge (PCR Court), Theni to consider the bail application of the petitioners on the same day on their surrender in Crime No.173 of 2016 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 294(b), 448, 323, 324 and 506(ii) I.P.C. r/w Section 3(1) (r)(s) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 2015 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(CrI.Side) takes notice for the respondents and submitted that no one sustained injury in the alleged occurrence.

<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 District and Sessions Judge (PCR Court), Theni 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.173 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(R)

/True Copy/

Sub Assistant Registrar.

To

1. The District and Sessions Judge, (PCR Court), Theni

2.The Inspector of Police,
Uthamapalyam Police Station,
Theni Disstrict.

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

+1CC to M/S.P.Senguttarasan, Advocate, SR.No. 19882

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AM/JGB.DP/AR-I/12.04.2016/2P/5C