



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.6198 of 2016

1.Sivakumar
2.Karunanithi
3.Vignesh
4.Justin Britto @ James Godwin
5.Senthil @ Senthil Murugan
6.Muruganantham
7.Thangaraju

: Petitioners/Accused Nos.1 to 7

Vs.

The State
Rep. by the Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

: Respondent/Complainant

Prayer:- Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the District and Sessions Judge-cum-Special Court for PCR, Sivagangai to accept the surrender of the Petitioner in connection with the Crime No.12 of 2016, on the file of the Respondent/Police and to consider and pass orders in the Bail Application on the same day.

For Petitioners : M/s.V.Kannan

For Respondent : Mr.A.P.Balasubramani

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-cum-Special Court for PCR, Sivagangai to consider the bail application of the petitioners on the same day on their surrender in Crime No.12/2016 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, 355 I.P.C., and 3(1)(r)(s) of S.C. & S.T. (Prevention of Atrocities) Amendment Act 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 respondent. It is submitted by the learned Government Advocate (Crl. Side) that the 5th petitioner, namely, Senthil @ Senthil Murugan has been



arrested and remanded to judicial custody. Therefore, this petition is dismissed with regard to the 5th petitioner.

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 1 to 4 and 6 and 7 cannot move any anticipatory bail, the learned District and Sessions Judge-cum-Special Court for PCR, Sivagangai, is directed to consider the bail application, in the event of the petitioners 1 to 4 and 6 and 7 filing such petition in Crime No.12 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)

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Judge-cum-Special Court for PCR Cases, Sivganga.
2. The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
3. The Public Prosecutor,
Madurai Bench of Madras High Court,
Maudrai.

+ 1 CC TO MR.V.KANNAN, ADVOCATE IN SR NO. 20585

RR

TE/SKS-RR/ : 20/04/2016 : 2P/5C

Order made in
Crl.O.P.(MD) No.6198 of 2016
Dated:-
12.04.2016