



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.6520 of 2016

1. Prabakaran
2. Balachandhiran
3. Jeevan @ Jeevan Kumar
4. Kumar
5. Arun Kumar @ Arun
6. Adhikesavan
7. Murugesan
8. Prasanth @ Prakash
9. Prabakaran
10. Vijay @ Vijayan
11. Karthik
12. Appu @ Vijayakumar

... Petitioners

Vs.

State represented by
the Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
(Crime No.84 of 2016)
(Presently investigated by
Deputy Superintendent of Police,
Kumbakonam.)

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned I Additional Sessions Judge, (PCR Court), Thanjavur Thanjavur District to consider and dispose of the bail application filed by the petitioners in Crime No.84 of 2016 on the file of the Respondent herein on the same day of their surrender.

For Petitioners

: Mr.A.Thiruvadikumar

For Respondent

: Mrs.S.Prabha

Government Advocate (Crl.Side)

ORDER

The learned counsel for the petitioners submitted that the petitioners have come forward with this petition seeking for a direction to the learned I Additional Sessions Judge, (PCR Court), Thanjavur, Thanjavur District to consider and dispose of the bail application filed by the petitioners in Crime No.84 of 2016 on the file of the respondent herein on the same day of their surrender.

<https://hcservices.ecourts.gov.in/hcservices>
The learned counsel for the petitioners also submitted that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 323, 324 of I.P.C., r/w.



Section 3(1)(r)(s) of SC/ST (Prevention of Atrocities) Amendment 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.

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3. The learned Government Advocate(Crl.side) submitted that the injured has 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 I Additional Sessions Judge, (PCR Court), Thanjavur, Thanjavur District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.84 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 the above observation, this Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar()

/True copy/

Sub Assistant Registrar

Madurai Bench of Madras High Court,
Madurai.

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To

1. The I Additional Sessions Judge, (PCR Court),
Thanjavur, Thanjavur District.
2. TheInspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
(Presently investigated by
Deputy Superintendent of Police,Kumbakonam.)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1 cc to Mr.A.Thiruvadikumar, Advocate, SR No.21626
RG.JGB-DP/AR-I 27.04.2016 2P.5C

Cr1.O.P. (MD) No.6520 of 2016
18.04.2016