



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2016

CORAM:

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THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Criminal Original Petition (MD) No.6707 of 2016

1.AL.Shanmuganathan
2.AL.Chidambaram

... Petitioners/Accused Nos.1 & 2

vs.

State, represented by
The Inspector of Police
Melur Police Station
Madurai District
(Crime No.353 of 2016)

... Respondent/Complainant

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the Learned III Additional District and Sessions Judge PCR Court Madurai to consider the bail application of the petitioners on the same day on their surrender in Cr. No.353 of 2016 on the file of the respondent.

For Petitioners : Mr.N.Ananthapadmanabhan

For Respondent : Mrs.S.Prabha,
Govt. Advocate (Crl.Side)

O R D E R

The learned counsel appearing for the petitioners has submitted that the petitioners have come forward with this petition seeking for a direction to the learned III Additional District and Sessions Judge, P.C.R.Court, Madurai, to consider the bail application of the petitioners on the same day on their surrender in Crime No.353 of 2016, pending on the file of the respondent Police.

2. The learned counsel for the petitioners has also submitted that the petitioners have been implicated in this case for the alleged offences under Sections 3(2)(va) of SC/ST Act and Section 304A of the I.P.C., 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 (Criminal Side) takes notice for the respondent.

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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, P.C.R.Court, Madurai, is directed to accept the surrender of the petitioners and consider their bail application, in the event of the petitioners filing such petition in Crime No.353 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.

5. With the above observation, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The III Additional District and Sessions Judge,
P.C.R.Court, Madurai.
2. The Inspector of Police,
Melur Police Station, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.N.Ananthapadmanaban, Advocate, Sr.No.22354

krk

JM/GSV-PM-AR-I/26.04.2016/2P-5C

Cr1.O.P (MD) .No.6707 of 2016
21.04.2016