



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition (MD) No.6884 of 2016

1.Karuppusamy
2.Nagu @ Nagamani ... Petitioners / Accused 1 and 2

vs.

1.The State rep.by
The Deputy Superintendent of Police
Usilampatti

2.The Inspector of Police
E4 Sinthupatti Police Station
Madurai District

... Respondents / Respondents

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 on the same day of their surrender if any filed by the petitioners / accused 1 and 2 in Crime No.80 of 2016, registered by the second respondent herein.

For Petitioners : Mr.R.Gowrishankar

For Respondents : Mrs.S.Prabha, G.A.(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.80 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 294(b), 323, 448 and 379 (NP) I.P.C., r/w Section 3 (1) (x) of S.C. & S.T. (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 bail application and therefore, the petitioners have come forward with the said prayer.



3. The learned Government Advocate (Criminal Side) takes notice for the respondents.

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.80 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 (P&A)

/True Copy/

Sub Assistant Registrar

krk

To

1.The III Additional District and
Sessions Judge, P.C.R.Court,
Madurai.

2.The Deputy Superintendent of Police,
Usilampatti.

3.The Inspector of Police,
E4 Sinthupatti Police Station,
Madurai District.

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

+1CC to Mr.R.Gowri Shankar Advocate Sr.No.22757

GJM/GSV/PM/2.5.16-2p-6c

Crl.O.P(MD).No.6884 of 2016
22.04.2016