

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.21186 of 2018

1.Abinesh
2.Karthikeyan
3.Manikandan
4.Annadurai
5.Vivek
6.Elangovan @ Sundara Elangovan
7.Anbalagan
8.Muthu
9.Priya @ Dhurgalakshmi ... Petitioners

Vs

State by Inspector of Police,
Manalmedu Police Station,
Nagapattinam District. ... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the District and Sessions Judge [PCR],
Nagapattinam to accept the surrender of the petitioners herein
before him concerned in Cr.No.266 of 2018 on the file of the
Inspector of Police, Manalmedu Police Station, Nagapattinam
District and consider their bail petition on the same day itself.

For Petitioners : Mr.P.M.Kumaravel

For Respondent : Mr.C.Raghavan, Govt. Advocate

O R D E R

The learned counsel for the petitioners submit that the
petitioners have come forward with this petition seeking for a
direction to the learned District and Sessions Judge [PCR],
Nagapattinam to consider the bail application of the petitioners
on the same day on their surrender in Crime No.266 of 2018
pending on the file of the respondent.

2. The learned counsel for the petitioners also submit that
the petitioners have been implicated in this case for
the alleged offences under
Sections 147, 148, 294[b], 323, 324, 355 and 506[2] IPC r/w
Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST [POA] Amendment
Ordinance, 2011 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 takes notice for the respondent.

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 SC/ST [POA] Act that the petitioners cannot move any anticipatory bail, the learned District and Sessions Judge [PCR], Nagapattinam is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.266 of 2018 on the file of the respondent police within a period of two weeks from the date of receipt of a copy of this order and dispose of the same on merits and in accordance with law on the same day.

With the above observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The District and Sessions Judge [PCR],
Nagapattinam.

2.The Inspector of Police,
Manalmedu Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.M.Kumaravel, Advocate sr.no.60468

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