

Premkumar and Others Vs. The Inspector of Police, Ramanathapuram District

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Court : Chennai Madurai

Decided On : May-11-2016

Judge : P. Kalaiyarasan

Appeal No. : Crl.O.P.(MD) No. 7899 of 2016

Appellant : Premkumar and Others

Respondent : The Inspector of Police, Ramanathapuram District

Judgement :

(Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the PCR Court, Ramanathapuram (Special Court for SC/ST (PA) Act cases), to consider the bail application of the petitioners on the same day of surrender and dispose the same on the same date on merits and in accordance with law in Crime No.15 of 2016.)

1. This petition has been filed, seeking to direct the PCR Court, Ramanathapuram (Special Court for SC/ST (PA) Act cases), to consider the bail application of the petitioners on the same day of surrender and dispose the same on the same date on merits and in accordance with law, in Crime No.15 of 2016.

2. Learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 341,

294(b), 323, 324 and 506(ii) of IPC, r/w Sections 3(i)(r) and 3(i)(s) of SC/ST (PA) Act, in Crime No.15 of 2016 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. Learned Government Advocate (Criminal side) 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 S.C. and S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the PCR Court, Ramanathapuram (Special Court for SC/ST (PA) Act cases), is directed to accept the surrender of the petitioners and consider their bail applications, in the event of the petitioners filing such petitions in Crime No.15 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.

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