

Muniyandi and Another Vs. State Represented by The Inspector of Police, Madurai District

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Court : Chennai Madurai

Decided On : May-11-2016

Judge : P. Kalaiyaran

Appeal No. : CrI.O.P.(MD) No. 8005 of 2016

Appellant : Muniyandi and Another

Respondent : State Represented by The Inspector of Police, Madurai District

Judgement :

(Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned III Additional District and Sessions Judge (PCR) Madurai, Madurai District to accept the surrender of the petitioners and consider their bail application on the same day in connection with Crime No.247 of 2016 pending investigation on the file of the respondent.)

1. This petition has been filed, seeking to direct the learned III Additional District and Sessions Judge (PCR) Madurai, Madurai District, to consider the bail application of the petitioners on the same day of surrender and dispose of the same on the same date on merits and in accordance with law in Crime No.247 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, 294(b), 323, 452, 341 and 506(i) IPC and Section 3(1) of TNPPDL Act r/w 3(2), (Va) of SC/ST (PoA) Act, 1989, in Crime No.247 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 learned III Additional District and Sessions Judge (PCR) Madurai, Madurai District, 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.247 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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