

Chithra and Another Vs. The Inspector of Police, Madurai

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Court : Chennai Madurai

Decided On : May-11-2016

Judge : P. Kalaiyarasan

Appeal No. : Crl.O.P.(MD) No. 8027 of 2016

Appellant : Chithra and Another

Respondent : The Inspector of Police, Madurai

Judgement :

(Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act/III Additional District and Sessions Judge (PCR Unit), Madurai, to consider the bail application of the petitioners on the same day of their surrender in Crime No.391 of 2016, on the file of the respondent police.)

1. This petition has been filed, seeking to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act/III Additional District and Sessions Judge (PCR Unit), Madurai, to consider the bail application of the petitioners on the same day of their surrender in Crime No.391 of 2016, on the file of the respondent police.

2. Learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b) and 323 of IPC and r/w. Section 3(2)(Va) of SC/ST Prevention of Ordinance Act, in Crime

No.391 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 Special Judge for SC/ST (Prevention of Atrocities) Act/III Additional District and Sessions Judge (PCR Unit), Madurai, 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.391 of 2016 on the file of the respondent 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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