

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.13689 of 2015

1.Kathirvel Gounder

2.Chinna Thanga Gounder @ Kittusami .. Petitioners/Accused

Vs

State rep.by

The Inspector of Police,

Kudimangalam Police Station,

Tiruppur District.

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Principal Sessions Judge, Tiruppur to consider the bail application of the petitioners herein in Crime No.212 of 2015 on the file of the respondent Police, on the same day of their surrender.

For Petitioners :Mr.V.P.Sengottuvel

For Respondent :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the Principal Sessions Judge, Tiruppur to consider the bail application of the petitioners herein, on the same day of their surrender in Crime No.212 of 2015 pending on the file of the respondent Police.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 109, 323, 354, 447 & 506(ii) of Indian Penal Code, r/w Section 3(1)(r) 3 (2) (v) (a) of S.C. & S.T Act, 1989 and SC/ST (Prevention of Atrocities) Amendment Ordinance, 2014, 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 Additional Public Prosecutor 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. & S.T. (Prevention of

Atrocities) Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Tiruppur is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.212 of 2015 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.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The Inspector of Police,
Kudimangalam Police Station,
Tiruppur District.

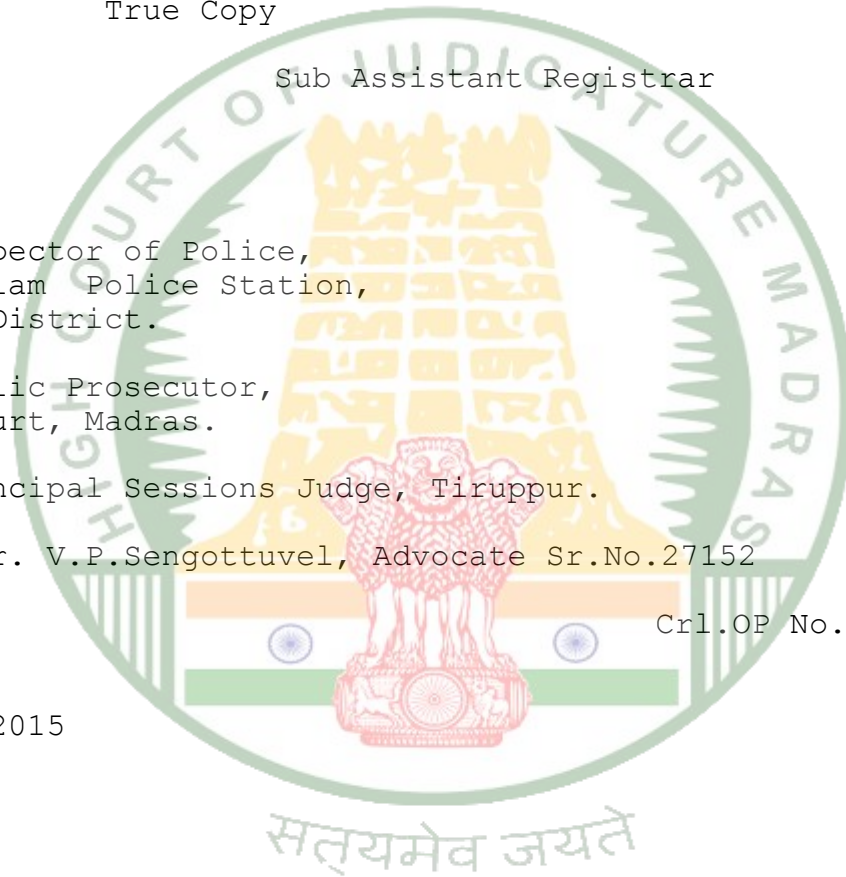
2.The Public Prosecutor,
High Court, Madras.

3.The Principal Sessions Judge, Tiruppur.

1 cc to Mr. V.P.Sengottuvel, Advocate Sr.No.27152

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