

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.14557 of 2015

1.S.Sivakumar
2.P.Kabarieal
3.S.Chandra Kala
4.B.Maheswari

... Petitioners

Vs.

State Rep.by Inspector of Police,
Edapadi Police Station,
Salem District.

.... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Learned Principal Sessions Judge, Salem, Salem District to consider the petitioner's bail application on their surrender in Crime No.276 of 2015 pending on the file of the Inspector of Police, Edapadi Police Station, Salem District.

For Petitioners :: Mr.E.Kannadasan

For Respondent :: Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking a direction to the Learned Principal Sessions Judge, Salem, Salem District to consider the petitioners' bail application on their surrender in Crime No.276 of 2015 pending on the file of the Inspector of Police, Edapadi Police Station, Salem District.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 3(1)(q), 3(1)(r), 3(1)(u) of SC/ST (Prevention of Atrocities Act) Amendment of Ordinance Act, 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, Salem, Salem District

is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.276 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

To

1.The Inspector of Police,
Edapadi Police Station,
Salem District.

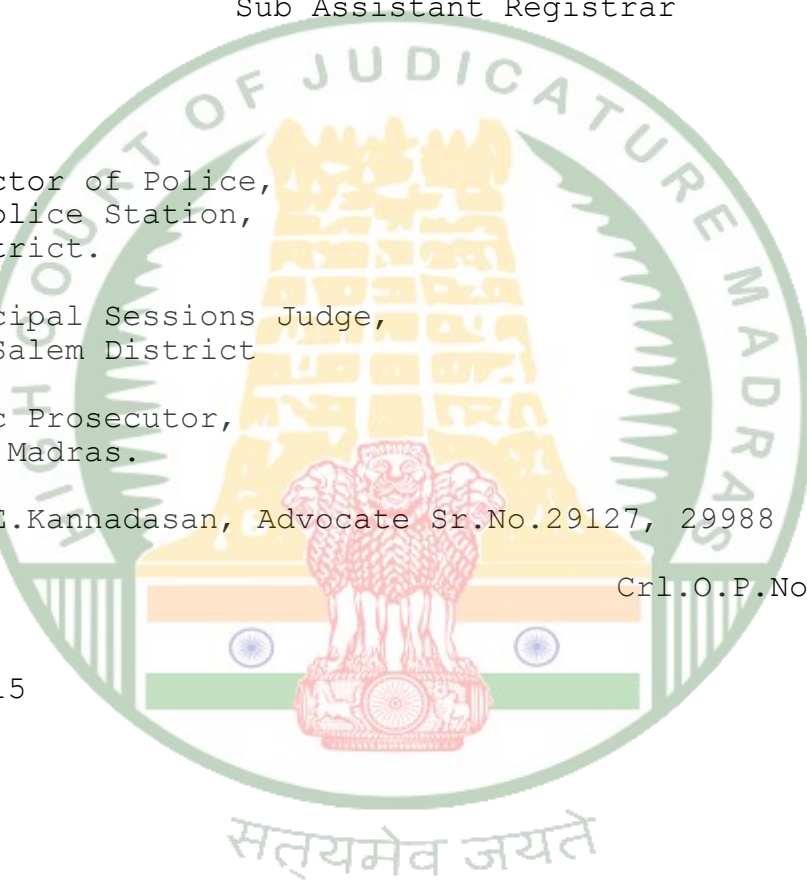
2. The Principal Sessions Judge,
Salem, Salem District

3.The Public Prosecutor,
High Court, Madras.

2 cc to Mr.E.Kannadasan, Advocate Sr.No.29127, 29988

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