

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.15622 of 2015

1. Smt. Vidyalaya Goundachiyamma
@ Ramathal
2. Naduk Gounder @ Sundaram
3. Smt. Gandhimathi

...Petitioners

Vs

1. The State, represented by
the Sub Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
(Crime No.392 of 2015)
2. The Deputy Superintendent of Police,
South Sub Division,
Tiruppur,
Tiruppur District.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to pass an order of direction directing the learned Principal Sessions Judge, Tiruppur District to accept the surrender of the petitioners/accused herein in Crime No.392 of 2015 on the file of the Sub-Inspector of Police, Avinashipalayam Police Station, Tiruppur District and consider the bail application of the petitioners on the same day on their surrender.

For Petitioner : Mr.G.Saravanan

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 a direction to direct the learned Principal Sessions Judge, Tiruppur to accept the surrender of the petitioner in Crime No.392 of 2015

on the file of the respondent police and consider the Bail application and to pass order on the same day itself.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 323, 506 (ii) r/w.3(1)(r), 3(1)(s), 3(2)(v)(a) of SC/ST 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.392 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.

5. With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Sub Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
2. The Principal Sessions Judge,
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.

4. The Deputy Superintendent of Police,
South Sub Division, Tiruppur,
Tiruppur District.

1 CC to Mr.G.Saravanan, Advocate SR.No. 31244

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SVI (CO)
PSI (02.07.2015)



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