

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.16037 of 2015

1.Dhanaselvan
2.Krishnakumar
3.Krishnamoorthy
4.Balamurugan
5.Anandharaj

... Petitioners/Accused

Vs.

State Rep by :Inspector of Police,
Vadalur Police Station,
Cuddalore District.

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District Sessions Court, Cuddalore to consider the bail application sympathetically and pass orders on merits on the same day on the petitioner surrender in connection with Cr.No.668/2012 in PCR.No.7/2013 pending committed on the file of the respondent Judicial Magistrate-III, Cuddalore District.

For Petitioners : Mr.K.Gandhi Kumar

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 to direct the Principal District Sessions Court, Cuddalore to consider the bail application sympathetically and pass orders on merits on the same day on the petitioner surrender in connection with Cr.No.668/2012 in PCR.No.7/2013 pending committed on the file of the respondent Judicial Magistrate-III, Cuddalore District.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Section 147, 148, 341, 324, 323, 294(b), 354, 448, 379, 436 of IPC r/w 3(i)(x) of the SC/ST Act and 4 of

P.P.D. Act 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 District and Sessions Judge, Cuddalore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.668 of 2012 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(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Vadalur Police Station,
Cuddalore District.
2. The Principal District and Sessions Judge
Cuddalore
3. The Public Prosecutor,
High Court, Madras.
4. The Judicial Magistrate No.III,
Cuddalore.

+1cc to Mr.K.Gandhi Kumar, Advocate, S.R.No.32245

CrI. O.P. No.16037 of 2015

TEJ(CO)
CA(02/07/2015)