

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.17889 of 2015

1. Fisool Rahman
2. Veerapandi Raja
3. Peraman
4. Suresh Kumar
5. T.Manickam
6. Shanmugam
7. Krishnamurthy
8. Ganapathy @ Gunasekaran
9. Prakash
10. Ramesh
11. Sasikumar
12. Sukumar
13. Mathivanan
14. Velu @ Venkatachalam
15. Vazheeswaran
16. Kandasamy
17. Periyasamy
18. Mani

.... Petitioners/Accused

Vs

The State, rep.by  
Inspector of Police  
Omalur Police station,  
Omalur, Salem District.  
(Crime No.589 of 2015)

.... Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned District & Sessions Judge, Salem to accept the surrender of the petitioners herein and consider the Bail petition concerned in Crime No.589 of 2015 on the file of the Inspector of Police, Omalur Police Station, Omalur, Salem District on the same day itself.

For Petitioners :Mr.P.Ganesan

For Respondent :Mr.C.Emalias  
Additional Public Prosecutor

ORDER

Seeking a direction to the learned District & Sessions Judge, Salem, to accept the surrender of the petitioners and consider the

bail petition concerned in Crime No.589 of 2015 on the file of the respondent on the same day, the petitioners have come up with this petition.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent and perused the material placed on record.

3.The learned counsel for the petitioners submitted that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294B, 323 and 324 IPC and 3(1) of TNPPDL Act, 1992 read with 3(1)(x) of SC/ST Act, 1989, 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.

4.The learned Additional Public Prosecutor takes notice for the respondent.

5.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 District & Sessions Judge, Salem, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.589 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

mps

To

1.The District & Sessions Judge,  
Salem.

2. The Inspector of Police  
Omalur Police station,  
Omalur, Salem District.  
(Crime No.589 of 2015)

3.The Public Prosecutor,  
High Court, Chennai.

1 cc to Mr. .P.Ganesan, Advocate Sr.No.36033

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