

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.18998 of 2015

1.Sampath
2.Chidhambaram

.. Petitioners

Vs

State rep. by
Inspector of Police,
Edaiyur Police Station,
Tiruvavur District.

.. Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the ***I Additional Sessions (PCR Judge), Thanjavur** to consider the bail application on merits on the surrender of the petitioners/ accused-3 and 4 in connection with crime No.115 of 2015 on the file of the respondent police.

For Petitioners : Mr.A.Arul Deepan

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 for a direction to the ***I Additional Sessions (PCR Judge), Thanjavur** to consider the bail application of the petitioners on the same day on their surrender in Crime No.115 of 2015 pending on the file of the respondent.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294 [b], 324, 506[ii], 307 IPC, r/w 3[1][s], 3[2][v] of SC & ST [Prevention of Atrocities] 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.

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 SC & ST [Prevention of Atrocities] Act that the petitioners cannot move any anticipatory

bail, the ***I Additional Sessions (PCR Judge), Thanjavur** is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.115 of 2015 on the file of the respondent police and dispose of the same on merits and in accordance with law.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(J)
DATED : 06.08.2015

***Amended as per order
dated 20.08.2015 in
M.P.1 of 2015**

**Sd/- Assistant Registrar(CS III)
DATED : 24.08.2015**

True Copy

Sub Assistant Registrar

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To

1. ***The I Additional Sessions
(PCR Judge),
Thanjavur**

2. The Inspector of Police,
Edaiyur Police Station,
Tiruvarur District.

3. The Public Prosecutor,
High Court, Madras.

To be Substituted to the
order already despatched
on 06.08.2015

1 cc to Mr. A.Arul Deepan, Advocate Sr.No.40012/15

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CRL.OP.No.18998 of 2015

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pmk.6.8.2015
CA(24.08.2015)