

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.19503 of 2015

1.Arumugam
2.Kolanji

...Petitioners

Vs.

State Rep. By
The Inspector of Police,
All Women Police Station,
Virudachalam,
Cuddalore District.
Crime No.15 of 2015

...Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to issue a direction, directing the learned Principal District Sessions Judge, 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.15/2015.

For Petitioners : Mr.K.Gandhi Kumar

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The learned counsel for the petitioners submit that the petitioner have come forward with this petition seeking for a direction to the learned Principal District Sessions Judge, Cuddalore to consider the bail application of the petitioners on the same day on their surrender in Crime No.15 of 2015 pending on the file of the respondents.

2. The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 417, 376, 294(b), 342(ii) and 506(i) IPC r/w 3(1)(xii) of S.C. & S.T. (Prevention of Atrocities) 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 respondents. It is the case of the prosecution that the son of the petitioners herein by name Shankar had promised to marry the victim girl, who is aged about 22 years and had physical affair with her and thereafter, he has gone back.

4. It is seen that Shankar (A1) has been arrested by the respondent police and remanded to judicial custody. As regards the petitioners herein, they are only the parents of A1 viz., Shankar and there is no allegation that they have abetted the offence of rape by their son.

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 Principal District Sessions Judge, Cuddalore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.15 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 (J)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Inspector of Police,
All Women Police Station,
Virudachalam,
Cuddalore District.

2. The Principal District Sessions Judge,
Cuddalore

3. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.K.Gandhi Kumar, Advocate SR.No. 39652

Crl. O.P. No.19503 of 2015

KGK (CO)
PSI (04.08.2015)



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