

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.24090 of 2015

1.Yerappa
2.Kasthuri

.. Petitioners/Accused 2 and 3

Vs

- 1.The Deputy Superintendent of Police,
Denkanikottai Sub Division,
Krishnagiri District.
- 2.The Inspector of Police,
All Women Police Station,
Denkanikottai, Krishnagiri District. .. Respondents/Complainant.

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District Judge, Krishnagiri to consider the anticipatory bail petition of the petitioners, seeking anticipatory bail in connection with the case in Crime No.23 of 2015 on the file of the respondents police, on the same day when it is presented by them.

For Petitioners : Mr.V.Veluchamy
For Respondents : Mr.C.Emalias, APP

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 learned Principal District Judge, Krishnagiri to consider the bail application of the petitioners on the same day on their surrender in Crime No.23 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 498A IPC, 4 of TNPWH Act, 3 and 4 of POCSO Act r/w 3[1][x] of SC & ST [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.

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 learned Principal District Judge, Krishnagiri is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.23 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.

gya

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

- 1.The Principal District Judge,
Krishnagiri.
- 2.The Deputy Superintendent of Police,
Denkanikottai Sub Division,
Krishnagiri District.
- 3.The Inspector of Police,
All Women Police Station,
Denkanikottai, Krishnagiri District.
- 4.The Public Prosecutor,
High Court, Madras.

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