

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.24863 of 2015

1.Bagavathy @ Periyasamy
2.Prabhu
3.Mani
4.Magendiran
5.Silambu @ Silambarasan

.. Petitioners/Accused 1 to 5

Vs

State rep by Inspector of Police,
Attur Police Station,
Salem District.

.. Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal Sessions Judge, Salem District to consider petitioners bail application on their surrender in Crime No.692 of 2015 pending on the file of the Inspector of Police, Attur Police Station, Salem District.

For Petitioners : Mr.E.Kannadasan
For Respondent : 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 Sessions Judge, Salem District to consider the bail application of the petitioners on the same day on their surrender in Crime No.692 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, 294[b], 323 IPC 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 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 learned Principal Sessions Judge, Salem District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.692 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(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge, Salem District.

2.The Inspector of Police, Attur Police Station, Salem District.

3.The Public Prosecutor, High Court, Madras.

+1 cc to Mr.E.KANNADASAN, Advocate, SR.No. 54142

सत्यमेव जयते

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(CO)TES
JD(07/10/2015)