

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.25305 of 2015

1.Valarmathi
2.Chandru @ Sankar
3.Paanjalai
4.Subramaniyan

.. Petitioners
(A2 to A5)

Vs

State rep. by SI of Police,
All Women Police Station,
Tiruvannamalai.

.. Respondent
(Complainant)

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District Judge (PDJ Court), Thiruvannamalai to consider the bail application on the same day on such terms and conditions concerned in Crime No.28 of 2015 on the file of the state rep. by the Inspector of Police, All Women Police Station, Tiruvannamalai District on such terms and conditions.

For Petitioners : Mr.N.Beulah John Selvaraj
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 learned Principal District Judge (PDJ Court), Thiruvannamalai to consider the bail application of the petitioners on the same day on their surrender in Crime No.28 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 376, 354, 506[i] IPC and 4 & 8 of POCSO Act of 2012 r/w 3[1], 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 and submits that, Ayyappan [A1] who is already a married person, appears to have had sexual intercourse with the victim girl, who was a minor. In this connection, A1 was arrested and was released on bail. As far these petitioners are concerned, they are relatives of A1. They came into the picture only after the occurrence had taken place.

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 (PDJ Court), Thiruvannamalai is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.28 of 2015 on the file of the respondent police and dispose of the same on merits, in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Principal District Judge,
Thiruvannamalai.

2.The SI of Police,
All Women Police Station,
Tiruvannamalai.

3.The Public Prosecutor,
High Court, Madras.
CRL.OP.No.25305 of 2015

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