

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.26198 of 2015

1.S.E.THANGAVEL NADAR  
2.T.MUTHUKUMAR  
3.T.MUTHURAJ  
4.T.MUTHUKRISHNAN

.. PETITIONERS

Vs

1 THE INSPECTOR OF POLICE  
J-6 THIRUVANMIYUR POLICE STATION  
THIRUVANMIYUR CHENNAI-41.  
2 THE ASSISTANT COMMISSIONER OF POLICE  
TARAMANI RANGE CHENNAI. .. RESPONDENTS/COMPLAINANT.

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal Sessions Judge, Chennai to consider the Petition for bail in Crime No.372 of 2015 on the file of the Respondent police on the same day on the petitioners surrender.

For Petitioners: Mr.S.Jaganathan

For Respondents: Mr.C.Emalias, Addl. 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 Sessions Judge, Chennai to consider the bail application of the petitioners on the same day on their surrender in Crime No.372 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 Section 3[1][x] 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 learned Principal Sessions Judge, Chennai is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.372 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.

gya

s/d-  
Assistant Registrar (T&P)

True Copy

Sub-Assistant Registrar

TO

1. THE PRINCIPAL SESSIONS JUDGE,  
CHENNAI.
  2. THE INSPECTOR OF POLICE,  
J-6 THIRUVANMIYUR POLICE STATION,  
THIRUVANMIYUR CHENNAI-41.
  - 3 THE ASSISTANT COMMISSIONER OF POLICE,  
TARAMANI RANGE, CHENNAI.
  - 4 THE PUBLIC PROSECUTOR,  
HIGH COURT, MADRAS.
- + 1 cc to Mr.S.Jaganathan, Advocate SR 58207

CRL.OP.No.26198 of 2015