

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.8796 of 2015

1.Mathan @ Mathankumar  
2.Athi @ Athi Sivasankar ... Petitioners

Vs

State rep.by  
The Assistant Superintendent of Police,  
Hosur,  
Krishnagiri District. .... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Principal Sessions Judge, Krishnagiri, to consider the bail application of the petitioners to be filed in Crime No.273 of 2015 on the same day of their surrender.

For Petitioner :Mr.A.Balamurugan  
For Respondent :Mr.C.Emalias  
Additional Public Prosecutor

ORDER

Seeking a direction to the learned Principal Sessions Judge, Krishnagiri, to consider the bail application of the petitioners to be filed in Crime No.273 of 2015 on the same day of their surrender, the petitioner has come up with this petition.

2.The learned counsel for the petitioner submitted that a case has been registered in Crime No.273 of 2015 for offences under Sections 294(b), 323, 324, 307 and 506(ii) IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, against the petitioners/accused and that in view of the specific bar under Section 18 of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) 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 submitted that out of four accused, two accused were arrested and released on bail. The injured has also been discharged from the hospital.

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 Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Krishnagiri, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.273 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.

-s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

- 1.The Principal Sessions Judge,  
Krishnagiri,
- 2.The Assistant Superintendent of Police,  
Hosur,  
Krishnagiri District.
- 3.The Public Prosecutor,  
High Court, Madras.

skv(co)  
prk22/4

सत्यमेव जयते

Cr1.OP.No.8796 of 2015

WEB COPY