

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **26.05.2016**

CORAM:

THE HONOURABLE MR.JUSTICE B.GOKULDAS

Crl.O.P.No.11128 of 2016

1. Kodhu Gounder @ Kodhandaraman		
2. Ravi Gounder @ Ravichandran		
3. Thangaraj		
4. Dhanaraj	..	Petitioners
	Vs.	

1. The State		
Represented by		
The Deputy Superintendent of Police,		
Pongalur,		
Tiruppur District.		
2. The Sub-Inspector of Police,		
Avinasipalayam P.S.,		
Tiruppur District.		
Crime No.259 of 2016.	..	Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to issue a direction directing the Principal Sessions Judge, Tiruppur (Special Court for SC/ST Cases - Tiruppur Division) to consider and pass orders on the application for bail of the petitioner in connection with the crime No.259 of 2016 on the file of the 2nd respondent on the very same day of surrender.

For Petitioners	: Mr. E.K.Kumaresan
For Respondents	: Mr.K.Prabakar Government Advocate (Crl.side)

ORDER

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, Tiruppur (Special Court for SC/ST Cases - Tiruppur Division) to consider the bail application of the petitioners on the same day on their surrender in Crime No.259/2016 pending on the file of the second 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 294(b), 323, 324, 506(2), 3(1) I.P.C., read with 3(1)(r), 3(1)(s) & 3(2)(va) of S.C. & S.T. (Prevention of Atrocities) Amendment Ordinance, 2014 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 Government Advocate (Crl.side) 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Tiruppur (Special Court for SC/ST Cases - Tiruppur Division), is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.259 of 2016 on the file of the second 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.

26.05.2016

To

1. The Deputy Superintendent of Police,
Pongalur,
Tiruppur District.
2. The Sub-Inspector of Police,
Avinasipalayam P.S.,
Tiruppur District.
Crime No.259 of 2016.

B.GOKULDAS,J.

kal/ssd

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