

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.11916 of 2016

1.Sameraj
2.Balu
3.Madesh

... Petitioners/Accused

Vs

State rep. by

The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.

.. Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned ***Principal District and Sessions Judge, Dharmapuri** to consider the surrender and bail application of the petitioners on the same day in the event of their surrender in Crime No.295 of 2016 on the file of the respondent.

For Petitioners : Mr.M.Premkumar

For Respondent : Mr.C.Emalias, APP

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 District and Sessions Judge, Dharmapuri** to consider the bail application of the petitioners on the same day on their surrender in Crime No.295 of 2016 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 294[b], 323, 324, 447 of IPC r/w 3[1], 3[1][r], 3[1][s] 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 District and Sessions Judge, Dharmapuri** is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.295 of 2016 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

09.06.2016

This Petition having been listed on this day for beaing amendment in pursuance of this court order dated 09.06.2016 and made herein in the presence of Mr.M.Premkumar, Advocate for the Petitioner and Mr.C.Emalias APP for the respondent, this court made the following order:

This petition has been filed to amend as "the learned Principal District and Sessions Judge, Dharmapuri" instead of "the learned Principal District and Sessions Judge, Coimbatore" made in Cr1OP No.11916 of 2016 dated 09.06.2016.

2.Heard the learned counsel for the petitioners and the learned counsel appearing for the respondent.

3.This petition is ordered as prayed for. Two weeks time is extended to the petitioners to surrender before the learned Principal District and Sessions Judge, Dharmapuri, after receipt of the amended copy of the order.

Registry is directed to issue a fresh copy of this order.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gya

To

1.***The Principal District and Sessions Judge, Dharmapuri**

2.The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.

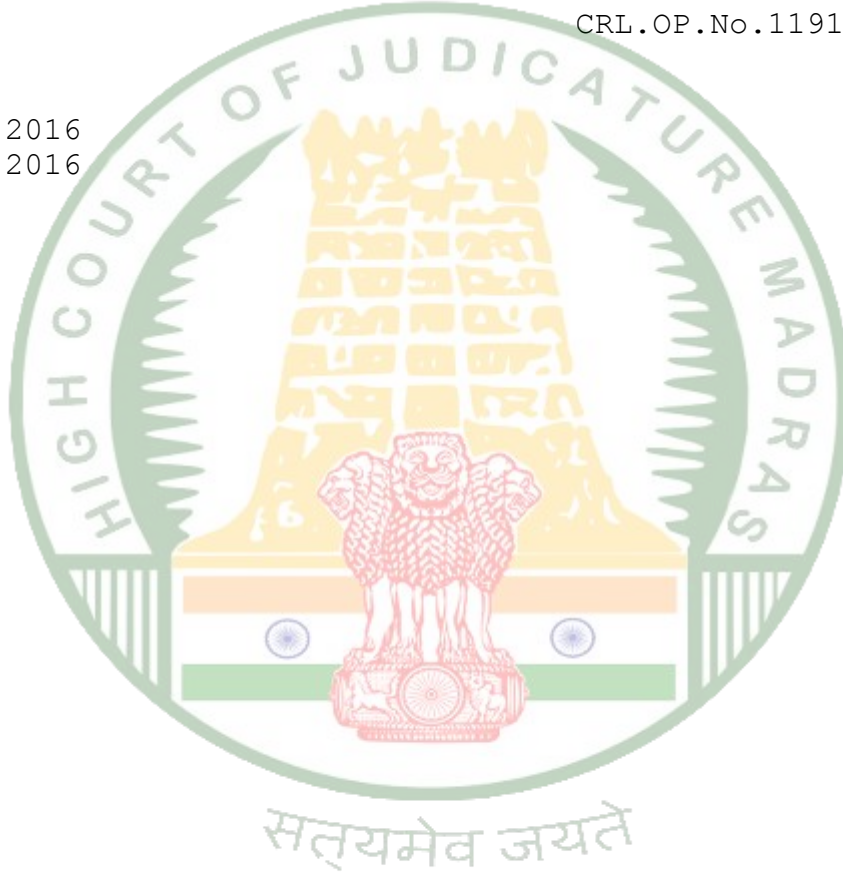
3.The Public Prosecutor,
High Court, Madras.

To be substituted the
order already
despatched on 13.06.16

1 cc to Mr.M.Premkumar, Advocate, sr.33247

CRL.OP.No.11916 of 2016

scd co
kra 10.06.2016
kra 20.06.2016



WEB COPY