

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.11918 of 2016

1.Saravanan

2.Kowsalya

.. Petitioners/Accused 2 & 3

Vs

State rep. by

The Inspector of Police,

Thevur Police Station,

Thevur, Salem District.

.. Respondent/Complainant.

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal District Sessions Judge, Salem to consider the surrender and bail application of the petitioners on the same day in the event of their surrender in Crime No.105 of 2016 on the file of the respondent.

For Petitioners : Mr.R.Marudhachalamurthy
For Respondent : Mr.C.Emalias, APP

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 and Sessions Judge, Salem to consider the bail application of the petitioners on the same day on their surrender in Crime No.105 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], 324 and 506[ii] of IPC r/w 3[1][r], 3[1][s] and 3[1][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.

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 Sessions Judge, Salem is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.105 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

s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1.The Principal District Sessions Judge,
Salem.

2.The Inspector of Police,
Thevur Police Station,
Thevur, Salem District.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.Marudhachalamurthy, Advocate SR 30870

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prk10/6

CRL.OP.No.11918 of 2016

सत्यमेव जयते

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