

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.12309 of 2016

1.K.Muthusamy
2.M.Pratheep Kumar
3.M.Thangakumar
4.S.Karthikeyan
5.M.Raja Gopal
6.P.Amutharaj
1 to 6

... Petitioners/Accused

Vs

State rep.by
The Inspector of Police,
Negamam Police Station,
Coimbatore District.

... Respondent/Complainant.

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal Sessions Judge, Coimbatore, to consider the bail application of the petitioners in Crime No.190 of 2016 on the file of respondent police, on the same day of surrender.

For Petitioners :Mr.V.P.Sengottuvel

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

Seeking for a direction to the learned Principal Sessions Judge, Coimbatore, to consider the bail application of the petitioners in Crime No.190 of 2016 on the file of respondent police, on the same day of surrender, the petitioners have come up with this petition.

2.The learned counsel for the petitioners submitted that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294(b), 323 and 506(ii) IPC read with Sections 3(1)(r) and 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Ordinance, 2015, 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Coimbatore, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.190 of 2016 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 Criminal Original Petition is disposed of accordingly.
mps

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Principal Sessions Judge,
Coimbatore.

2.The Inspector of Police,
Negamam Police Station,
Coimbatore District.

3.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.V.P.Sengottuvel, Advocate SR 32005

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