

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12796 of 2016

1.S.Vasudevan
2.V.Sarasu

Petitioners/Accused

Vs

The State
rep.by Inspector of Police,
Magudamchavadi,
Sangagiri Taluk,
Salem District.

Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal District Judge & Sessions Judge (PCR Cases) Salem District to consider the bail application on the same day in connection with Crime No.234 of 2016 on the file of the respondent.

For Petitioners :Mr.S.S.Karthikeyan

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the Learned Principal District Judge & Sessions Judge (PCR Cases) Salem District to consider the bail application on the same day in connection with Crime No.234 of 2016 on the file of the respondent.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 324, 341, 506(ii) IPC read with Section 3(1) (r)(s) of SC/ST (POA) Act, 1989 and The Scheduled Tribes (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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the Learned Principal District Judge & Sessions Judge (PCR Cases) Salem District, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.234 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.

sms

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Principal District & Sessions Judge
(PCR Cases),
Salem District.

2. The Inspector of Police,
Magudamchavadi,
Sangagiri Taluk,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.S.Karthikeyan, Advocate SR 33769

msm(co)
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