

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.13134 of 2016

1.Viji @ Vijay
2.Naresh @ Naresh Kumar
3.Ramu

.. Petitioners

Vs.

State Rep by
The Inspector of Police,
Baluchettychathram Police Station,
Kanchipuram District.
(Crime No.247/2016)

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District and Sessions Court, Chengalpet, to consider the petitioner's bail petition on the same day of his surrender and dispose of the same of merits in accordance with law, in respect of the case in Crime No.247/2016 on the file of the respondent.

For Petitioners :: Mr.A.Saranraj

For Respondent :: Mr.C.Emalias

Additional Public Prosecutor

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 Court, Chengalpet, to consider the bail application of the petitioners on the same day on their surrender in Crime No.247 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 420, 379 of IPC and Section 4 of the Women Harassment Act r/w 3(1)(r) of SC/ST (POA) Act 1989, Amended Act 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. It is seen that these petitioners have committed grave offence namely, 379 IPC and hence, the usual order of directing the Court below to consider the bail application on the same day cannot be granted. 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 and Sessions Court, Chengalpet, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No. 247 of 2016 on the file of the respondent police, and dispose of the same on merits, in accordance with law.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Baluchettychathram Police Station,
Kanchipuram District.
- 2.The Principal District and Sessions Court,
Chengalpet
- 3.The Public Prosecutor,High Court,
Madras.

+1cc to Mr.A.Saranraj, Advocate Sr.35034

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srg 24/06/2016