

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.14352 of 2016

1.Vajpai @ Parthiban
2.Sathish
3.Rajathurai
4.Suresh @ Pukkadai Suresh
5.Ramesh
6.Sivakumar
7.Gopi
8.Cable Kutty @ Balamurugan
9.Vimalraj ... Petitioners

Vs

State by
The Inspector of Police,
Senthurai Police Station,
Ariyalur District.
(Crime No.153 of 2016) ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal Sessions and District Judge, Ariyalur, Ariyalur District, to accept the surrender of the petitioners concerned in Crime No.153 of 2016 on the file of the respondent and consider the bail petition on the same day itself.

For Petitioners :Mr.G.Padmanapan

For Respondent :Mr.A.N.Thambi Durai
Addl. Public Prosecutor (Cr1. Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principal Sessions and District Judge, Ariyalur, Ariyalur District, to accept the surrender of the petitioners concerned in Crime No.153 of 2016 on the file of the respondent and consider the bail petition on the same day itself, the petitioners have come up with this petition.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 506(ii) IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, and

Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992 R/w 3(1) (r-s) and 3(2) (v-a) of SC/ST Prevention of Atrocities Amendment Act 2015-16 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 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 and District Judge, Ariyalur, Ariyalur District, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.153 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-III)

True Copy

Sub-Assistant Registrar

To

1. The Principal Sessions and District Judge,
Ariyalur, Ariyalur District.

2. The Inspector of Police,
Senthurai Police Station,
Ariyalur District.

3. The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr. G. Padmanaban, Advocate SR 38235

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