

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.14926 of 2016

1.Srinivasan @ Suresh

2.Kathir @ Kathiresan

... Petitioners/Accused

A1 & A2

Vs.

State represented by
The Inspector of Police,
Mettupalayam Police Station,
Mettupalayam Sub Division
Coimbatore District.

... Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District Judge [Special Judge for SC/ST [PA] Act 2014] Coimbatore, to accept the surrender of the petitioners in connection with Crime No.417 of 2016 on the file of the respondent Mettupalayam Police Station, Coimbatore District, on the file of the respondent to consider the bail petition filed by the petitioners on the same day in accordance with law.

For Petitioners : Mr.P.Kalimuthu

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 Judge [Special Judge for SC/ST [PA] Act 2014] Coimbatore, to consider the bail application of the petitioners on the same day on their surrender in Crime No.417 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 IPC r/w Section 3[1][r], 3[1][s] of SC & ST [Prevention of Atrocities]

Amendment 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. 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] Amendment Act 2015 that the petitioners cannot move any anticipatory bail, the learned Principal District Judge [Special Judge for SC/ST [PA] Act 2014] Coimbatore, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.417 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.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ds

To

1. The Principal District Judge
[Special Judge for SC/ST [PA] Act 2014]
Coimbatore,

2. The Inspector of Police,
Mettupalayam Police Station,
Mettupalayam Sub Division
Coimbatore District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Kalimuthu, Advocate, S.R.No.39768

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GR(CO)
CA(18/07/2016)