

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.16173 of 2016

1.Senthil Kumaran
2.P.Kuppusamy
3.G.Karnan
4.S.Babu

.. Petitioners

Vs.

The State rep. by
The Sub Inspector of Police,
Thammampatty Police Station,
Gangavalli Taluk, Salem District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal Sessions Judge, Salem to consider the bail application of the petitioners on the same day in the event of their surrender in connection with Crime No.163 of 2016 on the file of the respondent Police.

For Petitioners : Mr.L.Rajendran

For Respondent : Mr.C.Emalias,
Addl.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 Sessions Judge, Salem to consider the bail application of the petitioners on the same day on their surrender in Crime No.163 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], 323, 324 and 506[ii] IPC, r/w 3[1][s] and 3[2][v-a] of SC&ST [POA] 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 [POA] Amendment Act, 2015 that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Salem is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.163 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 the above observation, this petition is disposed of accordingly.
gya

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Principal Sessions Judge, Salem.

2.The Sub Inspector of Police,
Thammampatty Police Station,
Gangavalli Taluk, Salem District.

3.The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.L.Rajendran, Advocate Sr 42386

KR/27/7/16

CRL.OP.No.16173 of 2016

सत्यमेव जयते

WEB COPY