

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.16743 of 2016

1. Kannan
2. Narayanan .. Petitioners

Vs.

1. State of Tamil Nadu,
Inspector of Police,
Vadaponparappi Police Station,
Villupuram District.
2. State of Tamil Nadu rep. By
The Deputy Superintendent of Police,
Villupuram, Villupuram District. .. Respondents
(Impleaded as 2nd respondent as per order dt.1918/16
in Crl.MP.No.8820/16 in Crl.OP.16743/16)

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to pass an order directing the principal Sessions Judge, Villupuram District, to accept the surrender of the Petitioners/Accused in Crime No.47 of 2001 on the file of respondent police and consider their bail application of the petitioners on the same day.

For Petitioners : Mr.A.Ilaya Perumal
For Respondents : 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 Judge, Villupuram to accept the surrender of the Petitioners/Accused in Crime No.47 of 2001 on the file of respondent police and consider their bail application of the petitioners on the same day.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 323, 355 I.P.C., r/w 3(1)(X)(xii) of S.C. & S.T. (Prevention of Atrocities) Act 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. Today, when the matter is taken up for hearing, the learned counsel for the petitioners seeks permission of this Court to withdraw the petition in respect of the first petitioner herein as he has already been acquitted by the trial Court and as regards the second petitioner is concerned, he seeks a direction to the learned Principal District and Sessions Judge, Villupuram to accept the bail application of the second petitioner on the day of his surrender.

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 second petitioner cannot move any anticipatory bail, the learned Principal District and Sessions Judge, Villupuram is directed to consider the bail application, in the event of the second petitioner filing such petition in Crime No.86 of 2012 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 petition is disposed of accordingly.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

1. State of Tamil Nadu,
Inspector of Police, Vadaponparappi Police Station,
Villupuram District.
 2. State of Tamil Nadu rep. By
The Deputy Superintendent of Police,
Villupuram, Villupuram District.
 3. The Principal District and Sessions Judge, Villupuram.
 4. The Public Prosecutor, High Court, Madras.
- +1 cc to Mr.A.Ilayaperumal, advocate,sr.48407.

sr(co)
krd 19/9

CrI. O.P. No.16743 of 2016