

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.09.2016
CORAM
THE HONOURABLE MR.JUSTICE P.N.PRAKASH
Crl.OP.No.21276 of 2016

1.N.Prakash
2.S.Gunasekaran
3.G.Prashanth
4.P.Santhosh @ Santhosh Kumar
5.M.Rajasekar @ sekar
6.A.Siva
7.R.Ashok @ Ashok Kumar
8.N.Sundarasamy
9.R.Karuppasamy
10.P.Madhan @ Madhan Kumar
11.S.Karthick @ Karthick Kumar
12.M.Dinesh @ Dinesh Kumar
13.K.Pallu Selvam
14.N.Nagaraj
15.D.Ravi
16.M.Sedhu @ Sedhupathy
17.P.Marudhu ... Petitioners

Vs

State, Rep by its
The Inspector of Police,
Thudialur Police Station,
Coimbatore District.
(Crime No.697 of 2016) ... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal District Judge, Coimbatore to consider the bail petition filed by the petitioners in connection with Crime No.697 of 2016 pending on the file of respondent police on the same day of their surrender.

For Petitioners :Mr.K.Myilsamy
For Respondent :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principal District Judge, Coimbatore to consider the bail petition filed by the petitioners in connection with Crime No.697 of 2016 pending on the file of respondent police on the same day of their surrender.

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, 341, 294(b), 323, 324

IPC r/w Section 3(1)(r), 3(1)(3), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance, 2014 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 on instructions submitted that on account of communal clash between the two communities, tension is prevailing in that area and this may be borne in mind before granting bail to the petitioners.

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 District Judge, Coimbatore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.697 of 2016 on the file of the respondent police within a period of two weeks from the date of receipt of a copy of this order.

5. In the event, the trial Court is releasing the petitioners on bail, it is open to the trial Court to impose conditions directing them to stay away 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Principal District Judge,
Coimbatore.

2. The The Inspector of Police,
Thudialur Police Station,
Coimbatore District.

3. The Public Prosecutor,
High Court, Chennai.

+1 cc to Mr.K.Myilsamy Advocate sr 52846

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