

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.21420 of 2016

1.Prabhu
2.Senbagaraj

... Petitioners/A3 & A4

Vs.

The State rep. By
The Inspector of Police,
Chithode Police Station,
***Erode District.**

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal Sessions Judge, Erode / The Special Court, Erode District to consider the bail application of the petitioners herein on the everyday of surrender pertaining to the Crime No.429 of 2014 on the file of the Chithode Police Station, Erode District.

For Petitioners : Mr.M.Guruprasad

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 Principal Sessions Judge, Erode / The Special Court, Erode District to consider the bail application of the petitioners and the bail application of the petitioners, on the same day, on their surrender in Crime No.429 of 2014, pending on the file of the respondent Police.

2.The learned counsel for the petitioners submitted that the petitioner's name is not in FIR and also submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294(b), 323 and 427 I.P.C. r/w 3 (1)(r)(s) and 3(2)(V,a) 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, they have come forward with this petition 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 S.C. & S.T. (Prevention of Atrocities) Act, that the petitioners cannot move any anticipatory bail, the Principal Sessions Judge, Erode / The Special Court, Erode District, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.429 of 2014, on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

5.With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS VII)

Dated :23/09/2016

***Amended as per order of
this court dated 06.10.2016
made in Crl.O.P.No.21420/2016**

**Sd/- Assistant Registrar (CS-VI)
Dated 06.10.2016**

//True Copy//

Sub Assistant Registrar

rm

To

1. The Inspector of Police,
Chithode Police Station,
Erode District.
2. The Principal Sessions Judge,
Erode/Special Judge(For SC & ST Cases),
Special Court, Erode.
3. The Public Prosecutor,
High Court, Madras.

To be substituted order
already despatched on
26.09.2016

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.57719

Crl. O.P. No.21420 of 2012

SV(CO)
CA(23/09/2016)

MG (CO)

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