

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.22407 of 2016

1.Ananth
2.Krishna Raj

... Petitioners

Vs

State Rep. by
The Inspector of Police,
Kannankuruchi Police Station,
Salem City,
Salem District.

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal Sessions Judge, Salem, Salem District to consider the petitioner's bail application on their surrender in Crime No.394 of 2016 pending on the file of the respondent.

For Petitioners :Mr.E.Kannadasan

For Respondent :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principal Sessions Judge, Salem, Salem District to consider the petitioners' bail application on their surrender in Crime No.394 of 2016 pending on the file of the respondent.

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, 294(b), 323, 324 506 (ii) IPC r/w Section 3(2)(v) 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Salem, Salem District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.394 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, 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.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ds
To

1.The Principal Sessions Judge,
Salem,
Salem District.

2.The Inspector of Police,
Kannankuruchi Police Station,
Salem City,
Salem District.

3.The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.E. Kannadasan, Advocate, S.R.No.56682

SAI (CO)
EU(05/10/2016)

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