

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.24476 of 2016

1. S.Manikandan
2. K.Aravindhnan
3. S.Manibalan
4. S.Suresh @ Sathish KumarPetitioners/Accused

Vs

State Rep. by
Inspector fo Police
Kalasapakkam Police Station
Thiruvannamalai District.Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to issue, direction, permitting the petitioners to surrender before the District and Sessions Court, Thiruvannamalai, and consider their bail application on the same day, pursuant to FIR in Crime No.451 of 2016 on the file of the Inspector of Police, Kalasapakkam Police Station, Thiruvannamalai District.

For Petitioners: Mr.R.Prabhakaran

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the petitioners to surrender before the District and Sessions Court, Thiruvannamalai, and consider their bail application on the same day, pursuant to FIR in Crime No.451 of 2016 on the file of the Inspector of Police, Kalasapakkam Police Station, Thiruvannamalai District.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 294B, 324, 323, 506(ii) IPC & 3(1)(r) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act 1989, Amendment 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. Learned Additional Public Prosecutor submitted that the 1st petitioner himself had suffered injuries in the attack of the opposite party and he is under treatment. Under such circumstance, if the trial Court chooses to enlarge the petitioners on bail, it may be in its discretion to direct the petitioners to stay away from the district for their own safety.

5. 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 District and Sessions Court, Thiruvannamalai, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.451 of 2016 pending 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 in accordance with law on the same day.

With this observation, this criminal original petition is disposed of.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District and Sessions Court, Thiruvannamalai

2. The Inspector fo Police
Kalasapakkam Police Station
Thiruvannamalai District.

3. The Public Prosecutor, High Court, Madras.

+ 1 cc to M/s. R. Prabhakaran, Advocate SR.94498

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RSI (CO)

EU 11.11.16