

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.24551 of 2016

1. Siva
2. Sakthivel
3. Ragul
4. Arivazhagan
5. Selvi
6. Govindarasu

.... Petitioners/Accused 20

Vs

State by
Inspector of Police,
Sendurai Police Station,
Ariyalur District.

.... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal District Sessions Judge, (Special Court for SC/ST Prevention of Atrocities Act) Ariyalur, Ariyalur District to accept the surrender of the petitioners herein concerned in Crime No.207/2016 on the file of Inspector of Police, Sendurai Police Station, Ariyalur District and consider the bail petition.

For petitioners : Mr.K.Balu

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the Principal District Sessions Judge, (Special Court for SC/ST Prevention of Atrocities Act) Ariyalur, Ariyalur District to accept the surrender of the petitioners in Crime No.207 of 2016 on the file of Inspector of Police, Sendurai Police Station, Ariyalur District and consider the bail petition.

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), 342, 324 and 506(ii) of IPC r/w Section 3(1)(r & s) and 3 (2) (va) of SC/ST (POA) 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 District Sessions Judge, (Special Court for SC/ST Prevention of Atrocities Act), Ariyalur, Ariyalur District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.207 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(CS IV)

//True Copy//

Sub Assistant Registrar

kmi

To

1. The Principal District Sessions Judge,
(Special Court for SC/ST Prevention of Atrocities Act),
Ariyalur, Ariyalur District.
2. The Inspector of Police,
Sendurai Police Station,
Ariyalur District.
3. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.K.Balu, Advocate, S.R.No.63863

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CA(09/11/2016)

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