

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.24673 of 2016

1. Karthiresan

2. Manikandan

... Petitioners/Accused 1&2

Vs

State rep. by

Inspector of Police

Anaimalai Police Station

Coimbatore District.

... Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal District and Sessions Judge, Coimbatore to consider their bail application on the same day on surrender of the petitioners in Crime No.449 of 2016 on the file of the respondent police.

For Petitioners : Mr.M.N.Balakrishnan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Principal District and Sessions Judge, Coimbatore to consider their bail application on the same day on surrender of the petitioners in Crime No.449 of 2016 on the file of the respondent police.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 294B, 323, 406(ii) IPC & 3(1)(r), 3(1)(s) & 3(2)(va) 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. 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 District and Sessions Judge, Coimbatore is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.449 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/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Principal District and Sessions Judge,
Coimbatore
2. The Inspector of Police
Anaimalai Police Station
Coimbatore District.
3. The Public Prosecutor, High Court, Madras.

+2 cc to M/s.M.M.Balakrishnan, advocate, sr.64294 and 74969
(28/12/2016)

rsi(co)
krd 10/11

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सत्यमेव जयते

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