

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.24809 of 2016

1. Sivaperumal
2. Kalishvaran alias Arul Prasanth
3. Karthik alias Karthikeyan ... Petitioners/
Accused 1, 3 & 4

Vs

State Rep. by
The Inspector of Police
Pudupattinam Police Station,
Sirkali Taluk, Nagapattinam District. ... Respondent/
(Crime No.407 of 2016) Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to consider the bail application of the petitioners on the same day itself in the event of their surrender before the Hon'ble ***I Additional District Court for the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act at Thanjavur** in respect of the case in Crime No.407 of 2016 on the file of the respondent.

For Petitioners : Mr.B.Ramamoorthy
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to consider the bail application of the petitioners on the same day itself in the event of their surrender before the Hon'ble ***I Additional District Court for the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act at Thanjavur** in respect of the case in Crime No.407 of 2016 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 294(b), 323, 324, and 506(i) IPC and 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, ***I Additional District Court for the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act at Thanjavur** is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.407 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

***Corrected as per the order
of this Court dated 22/12/2016
and made herein
-s/d-
Assistant Registrar
dt 23/12/2016**

//True Copy//

Sub Assistant Registrar

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To

1. ***The I Additional District Court for
the Scheduled Caste and Scheduled Tribes
(Prevention of Atrocities) Act at Thanjavur**

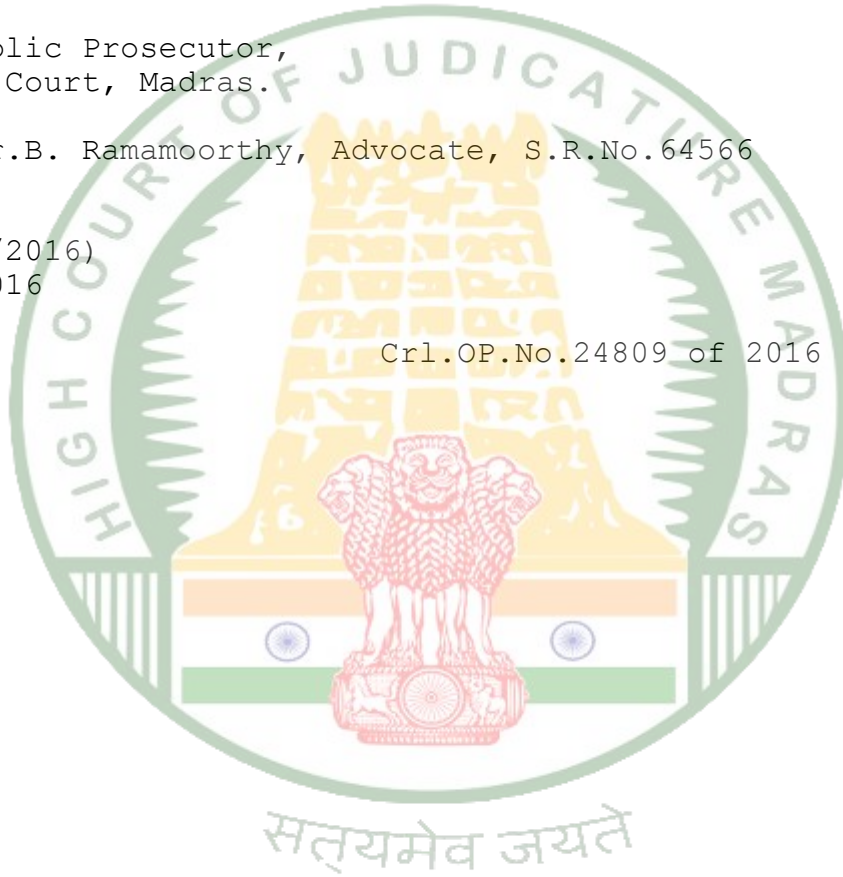
2. The Inspector of Police (To be Substituted to the
Pudupattinam Police Station, (order already despatched
Sirkali Taluk, (on 14/11/2016 and made in
Nagapattinam District. (CrI.MP.No.13700 of 2016 in
CrI.OP.NO.24809 of 2016)

3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.B. Ramamoorthy, Advocate, S.R.No.64566

gr (CO)
md (11/11/2016)
aa23/12/2016

CrI.OP.No.24809 of 2016



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