

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.24928 of 2016

1. Babu
2. Murugan

.... Petitioners/Accused 8 & 10

Vs

State rep. by
The Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.

...Respondent/Defacto Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal District and Sessions Judge (PCR Court), Tiruvannamalai to accept the surrender of the petitioners in connection with Crime No.357 of 2016 on the file of the respondent police and consider the bail petition filed by the petitioners on the same day.

For Petitioners : Mr.K.Semmalai

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Principal District and Sessions Judge (PCR Court), Tiruvannamalai to accept the surrender of the petitioners in connection with Crime No.357 of 2016 on the file of the respondent police and consider the bail petition filed by the petitioners on the same day.

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, 324 and 506(ii) IPC r/w 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. 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 (PCR Court), Tiruvannamalai District is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.357 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Principal District and Sessions Judge (PCR Court),
Tiruvannamalai
2. The Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

1 cc to MR.K.Semmalai, Advocate, Sr. 65947 (16/11/2016)

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