

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.25468 of 2016

1. Samidurai
2. Pitchaiyammal ... Petitioners

Vs

The State, represented by
Inspector of Police
Kayarlabath Police Station,
Ariyalur District. ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal District and Sessions Judge, Ariyalur to consider the bail application of the petitioners concerned in Crime No.191 of 2016, on the file of the Inspector of Police, Kayarlabath Police Station, Ariyalur District on their surrender on the same day on such terms and conditions.

For Petitioners : Mr.C.Prabakaran

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the Principal District and Sessions Judge, Ariyalur to consider the bail application of the petitioners concerned in Crime No.191 of 2016, on the file of the Inspector of Police, Kayarlabath Police Station, Ariyalur District on their surrender on the same day.

2. The learned counsel for the petitioner submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 323 of the Indian Penal Code, 1860 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, the Principal District and Sessions Judge, Ariyalur, is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.191 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 consider 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

kmi

To

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

+1 cc to M/s.C.Prabakaran Advocate sr 67777

Cr1.OP.No.25468 of 2016

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