

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.OP.No.4660 of 2016

1.Madheswaran

2.Surya

..Petitioners/Accused 2 and 4

Vs.

State rep.by its
Sub Inspector of Police,
Molassi Police Station,
Namakkal District
(Molassi P.S.Cr.No.24 of 2016) ... Respondent/Complainant.

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal District Judge/Special Court, Namakkal, to accept their surrender and consider their bail application on the same day with respect to Cr.No.24 of 2016 in Molassi Police Station, on the file of the Sub Inspector of Polie, Molassi Police Station/respondent herein.

For Petitioners :Mr.V.Balamurugane

For Respondent :Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Principal District Judge/Special Court, Namakkal, to consider the bail applications of the petitioners in Cr.No.24 of 2016 on the file of the respondent, on the very same day of presentation after surrendering themselves before the learned Principal District Judge/Special Court, Namakkal.

2. The learned counsel appearing for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections Sec.3 (i) (XI) of SC & ST Act, r/w.Sec.1417, 294(b), 323 and 324 IPC 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. Heard the learned Additional Public Prosecutor appearing 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 Judge/Special Court, Namakkal, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.24 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

-s/d-

Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The Sub Inspector of Police,
Molassi Police Station,
Namakkal District
2. The Principal District Judge/Special Court,
Namakkal.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.V.Balamurugane Advocate, SR 13412

jsv(co)
prk2/3

Cr1.OP.No.4660 of 2016

WEB COPY