

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P. No.3471 of 2017

1.Prabhu (Minor)

represented by his father and natural guardian  
Visvanathan

2.Davit Raja (Minor)

represented by his father and natural guardian  
Ragupathi

...Petitioners/Accused

Vs

State rep. by Inspector of Police,  
Magudanchavadi Police Station,  
Salem District.

...Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate-cum-Juvenile Justice Board, Salem, Salem District to consider the petitioner's bail application on the same day on their surrender in Crime No.552/2016 pending on the file of the respondent police.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Judicial Magistrate-cum-Juvenile Justice Board, Salem, Salem District to consider the petitioners' bail application on the same day of their surrender in Crime No.552/2016 pending on the file of the respondent police.

2. The case of the petitioners is that a case in Crime No.552 of 2016 was registered by the respondent police against 21 persons, including the petitioners herein, for the offences punishable under Sections 147, 148, 336, 431, 435, 341, 324, 294 (b), 332, 353, 427, 307 IPC and Section 3(1) of Tamil Nadu

Public Property (Damages and Loss) Act. Most of the accused in the said case were arrested and were subsequently enlarged on bail by the learned Principal Sessions Judge, Salem and one of the accused was also granted anticipatory bail by order of this Court in Crl.OP.No.27764/2016 dated 10.01.2017. However, since the petitioners are juvenile, they are unable to get anticipatory bail. Therefore, they have come up with the present petition for the above stated relief.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor, who took notice for the respondent.

4. Considering the nature of the prayer sought for and taking note of the fact that the petitioners are prepared to surrender before the learned Judicial Magistrate-cum-Juvenile Justice Board, Salem, Salem District, there shall be a direction to the learned Judicial Magistrate-cum-Juvenile Justice Board, Salem, Salem District to consider the bail application to be submitted by the petitioners along with their surrender before that Court, in connection with Crime No.552 of 2016, on the same day on merits and pass appropriate orders.

5. Accordingly, this Criminal Original Petition is disposed of.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rk  
To

1. The Judicial Magistrate-cum-Juvenile Justice Board, Salem, Salem District.
- 2.The Inspector of Police, Magudanchavadi Police Station, Salem District.
- 3.The Public Prosecutor, High court, Madras -104.

+lcc to Mr.Kannadasan, Advocate, S.R.No.11057

KJ(CO)  
RS(23/02/2017)

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