

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20255 of 2018

1.Arumugam

2.Kuppan @ Kuppusamy

3.Valli

.. Petitioners

Vs

The State rep. by

The Inspector of Police,
Panruti Police Station,
Cuddalore District.

Crime No.423 of 2018

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal Sessions Judge, Cuddalore/the Special Court Cuddalore, Cuddalore District to consider the bail application of the petitioners herein concerned on the day of surrender pertaining to the Crime No.423 of 2018 on the file of the Panruti Police Station, Cuddalore.

For Petitioners : Mr.D.Lakshmipathy

For Respondent : Mr.M.Prabhavathi, APP

O R D E R

The learned counsel for the petitioners submit that the petitioners have come forward with this petition seeking for a direction to the learned Principal District and Sessions Judge, Cuddalore/the Special Court Cuddalore, Cuddalore District, to consider the bail application of the petitioners on the day of surrender in Crime No.423 of 2018 pending on the file of the respondent.

2. When the matter is taken up for hearing, the learned counsel for the petitioners submitted that Arumugam/A1 has been arrested and therefore, this petition is dismissed as against Arumugam/A2.

3. The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 324, 323 and 307 of IPC r/w Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST [POA] Amendment Act, 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.

4. The learned Government Advocate takes notice for the respondent.

5. 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 SC/ST [POA] Act that the petitioners cannot move any anticipatory bail, the learned the Principal Sessions Judge, Cuddalore/the Special Court Cuddalore, Cuddalore District, is directed to consider the bail application, in the event of the petitioners 2 and 3/A3&A4, filing such petition in Crime No.423 of 2018 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 on merits and in accordance with law on the same day.

With the above observation, this petition is disposed of accordingly.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

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To

1.The Principal Sessions Judge, Cuddalore/
the Special Court, Cuddalore,
Cuddalore District

2.The Inspector of Police,
Panruti Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.D.Lakshmipathy, Advocate sr 57158.

CRL.O.P.No.20255 of 2018

SP(30/08/2018)