

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20439 of 2018

1. Ponnusamy
2. P.Subramani
3. Ragupathy
4. S.Seethalakshmi
5. K.Udayakumar
6. Suresh
7. Abdul Rehman
8. Noor Mohammed
9. Rani
- 10.Sarasal

... Petitioners

Vs

State rep. by
Inspector of Police,
Cheyyur Police Station,
Avinashi Taluk,
Tiruppur District.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Principal District and Sessions Judge, Tiruppur to entertain, consider and dispose of the bail application of the petitioners when they surrender before the said Court in Crime No.187 of 2018 pending on the file of the Inspector of Police, Cheyyur Police Station, Avinashi Taluk, Tiruppur District.

For Petitioners : Mr.K.Govi Ganesan
For Respondent : Mr.C.Raghavan, Govt. Advocate

WEB COPY
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, Tiruppur to consider the bail application of the petitioners on the same day on their surrender in Crime No.187 of 2018 pending on the file of the respondent.

2. The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294[b], 353 and 506 [i] IPC r/w Section 4 of TNPHW Act and Section 3(1)(r) and 3(1)(s) 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.

3. The learned Government Advocate 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 SC/ST [POA] Act that the petitioners cannot move any anticipatory bail, the learned Principal District and Sessions Judge, Tiruppur is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.187 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.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gya

To

1. The Principal District and Sessions Judge,
Tiruppur.
2. The Inspector of Police,
Cheyyur Police Station,
Avinashi Taluk, Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.57069

CRL.OP.No.20439 of 2018

SPD(CO)

CS/24/08/18