

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12448 of 2018

1.Meenakshi
2.Chellappan

... Petitioners/Accused

Vs

State Represented by
The Sub Inspector of Police
Kariyakoil Police Station
Salem.

...Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the District Sessions Judge, Salem, to consider the bail application of the petitioners herein in connection with Crime No.9/2017, pending on the file of the respondent, on the very day of their surrender.

For Petitioners : Mr.R.Marudhachalamurthy
For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the District Sessions Judge, Salem, to consider the bail application of the petitioners herein in connection with Crime No.9/2017, pending on the file of the respondent, on the very day of their surrender.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 427, 506(ii) and 379 of the Indian Penal Code, 1860 and Section 3(1)(r) and 3(1)(s) 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 Government Advocate (Crl. Side) 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 District Sessions Judge, Salem, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.9 of 2017 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(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The District Sessions Judge,
Salem.
2. The Sub Inspector of Police
Kariyakoil Police Station
Salem.
3. The Public Prosecutor
High Court, Madras.

+1 CC to Mr.R. Marudhachalamurthy, Advocate sr 12448.

WEB COPY

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SP(02/05/2018)