

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12597 of 2018

1.Anbumani
2.Rajendran
3.Suresh

Petitioners/Accused No.2to 4

...

Vs

State Rep. by the Inspector of Police
Magudanchavadi Police Station
Salem District.

...Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, seeking for a direction to the learned Principal Sessions Judge, Salem, Salem District to consider the petitioner's bail application on their surrender in Crime No.122/2018 pending on the file of the Inspector of Police, Magudanchavadi Police Station, Salem District.

For Petitioners : Mr.E.Kannadasan
For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the Principal Sessions Judge, Salem, Salem District to consider the petitioner's bail application on their surrender in Crime No.122/2018 pending on the file of the Inspector of Police, Magudanchavadi Police Station, Salem District.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of the Indian Penal Code, 1860, Section 3(1) of the Prevention of Damage to Public Property Act, 1984 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) 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 Principal Sessions Judge, Salem District, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.122 of 2018 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.

Sd/-
Assistant Registrar(CS IV)
//True Copy//
Sub Assistant Registrar

mk

To

1. The Principal Sessions Judge,
Salem District.
2. The Inspector of Police
Magudanchavadi Police Station
Salem District.
3. The Additional Public Prosecutor
High Court, Madras.

+1 cc to Mr.E.Kannadasan Advocate sr 32362

Cr1.OP.No.12597 of 2018

aa28/04/2018

WEB COPY