

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.16057 of 2018

(*)1.Dinesh Kannan

2.Karuppusamy

.. Petitioners /Accused 1 & 2

Vs

The State rep. by
The Inspector of Police,
Mecheri Police Station,
Salem District.
(Crime No. 234 of 2018)

.. Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal Sessions Judge, Salem to consider the bail application of the Petitioner on the date of surrender before the Court in connection with Crime No. 234 of 2018 on the file of the respondent police and to pass such order or further orders.

For Petitioners : Mr.M.Mariappan

For Respondent : Mr.C.Raghavan, Govt. Advocate

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 Sessions Judge, Salem to consider the bail application of the petitioners on the same day on their surrender in Crime No.234 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 294(b), 323, 324 and 506(2) of IPC r/w Section 3(1)(r) of SC/ST [Prevention of

Atrocities] 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 [Prevention of Atrocities] Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Salem is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.234 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.

FOR BEING MENTIONED

This case is posted under the caption "for Being Mentioned" On Thursday the fifth day of July 2018 in pursuant of the order dated 21.06.2018 upon perusing of the order dated 21.06.2018 and upon hearing the submission of Mr.M.Mariappan, Advocate for the petitioner, and of Mr.M.Mohammed Riyaz, Additional Public Prosecutor, the made the following order:

Today, the matter was posted "for being mentioned".

2.Learned counsel for the petitioners submitted that, in the order dated 21.06.2018 in CrI.O.P.No.16057 of 2018, name of the first petitioner has been wrongly mentioned as Dinesh Kumar instead of Dinesh Kannan.

3.Accepting the submissions of the learned counsel for the petitioner, Registry is directed to substitute the name of Dinesh Kannan in the place of Dinesh Kumar and issue corrected order copy.

4.Two weeks time is extended from the date of receipt of amended copy of the order.

Sd/-

Assistant Registrar(CS V)

22/06/2018

**(*)Cause title amended as per order
of court dated 05/07/2018**

Sd/-

Assistant Registrar(CS II)

06/07/2018

//True copy//

Sub Assistant Registrar

gmd

To

1.The Principal Sessions Judge,
Salem.

2.The Inspector of Police,
Mecheri Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

**To be Substituted to
the order already
despatched on 25/06/18**

+lcc to Mr.M.Mariappan, Advocate SR.No.39616(26/06/2018)

RV(CO)

GN(22/06/2018)

nr 06/07/2018

CRL.OP.No.16057 of 2018

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