

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.16323 of 2018

1.Rasu Gounder @ Rajendran
2.Rasu Gounder @ Santhosh Kumar
3.Inbasekaran
4.Kavin @ Kavimani
5.Sivakumar
6.Babu @ Subramanian
7.Kandasamy Gounder @ Kandasamy ... Petitioners/A1 to A7

Vs

The State rep. by
Inspector of Police,
Negamam Police Station,
Coimbatore District. ... Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District and Sessions Judge, Coimbatore and Special Judge for SC/ST Act cases to consider his bail application on the same day on surrender of this petitioner in Crime No.169 of 2018 on the file of the respondent police.

For Petitioners : Mr.M.N.Balakrishnan

For Respondent : Mrs.Kritika Kamal,
Govt. Advocate [Crl.Side]

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, Coimbatore and Special Judge for SC/ST Act cases to consider the bail application of the petitioners on the same day on their surrender in Crime No.169 of 2018 pending on the file of the respondent.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under

Sections 147, 294(b), 323, 324 and 506(i) IPC r/w Section 3(1) (r), 3(1)(s), 3(2)(v-a) of SC/ST [POA] Act, 1989 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 District and Sessions Judge, Coimbatore and Special Judge for SC/ST Act cases is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.169 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 VI)

//True copy//

Sub Assistant Registrar

gms

To

1.The Principal District and Sessions Judge
and Special Judge for SC/ST Act cases
Coimbatore.

2.The Inspector of Police,
Negamam Police Station,
Coimbatore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.N.Balakrishnan, Advocate SR.No.43295

CRL.OP.No.16323 of 2018

GN(05/07/2018)