

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.16933 of 2018

1.Pandi @ Pandidurai
2.Pushparaj

... Petitioners

-Vs-

1. The District Superintendent of Police,
Thiruvarur District, Thiruvarur.
2.The Inspector of Police,
Thirumakottai Police Station,
Thiruvarur District, Thiruvarur.
(Crime No.34/2018)

...Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the petitioners to surrender before the Principal District and Sessions Judge, Thiruvarur, along with the bail application and further direction the learned Principal District and Sessions Judge, Thiruvarur to accept the surrender of the petitioners and consider the bail application on the same day on merits, in relating to Crime No.34 of 2018 on the file of the second respondent.

For Petitioners : Mr.M.Rajinikanth

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 and Sessions Judge, Thiruvarur, to consider the bail application of the petitioners herein in connection with Crime No.34 of 2018, pending on the file of the second 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 147, 148, 341, 294(b), 323, 324 of the Indian Penal Code, 1860 and Section 3(1)(r) and 3(1)(s), 3(2)

(v), 3(1)(a) 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 (CrI. 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 and Sessions Judge, Thiruvarur, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.34 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.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

kmi

To

1. The District and Sessions Judge,
Thiruvarur.
2. The District Superintendent of Police,
Thiruvarur District, Thiruvarur.
3. The Inspector of Police,
Thirumakottai Police Station,
Thiruvarur District, Thiruvarur.
4. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.M.Rajinikanth, Advocate sr 43391.

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SP(06/07/2018)