

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2018

CORAM:

THE HON'BLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P. No.17780 of 2018

1 E. Gopi
2 E. Vijay

Petitioners

vs.

State represented by
the Inspector of Police
Arachalur Police Station
Erode District
(Cr. No.136 of 2018)

Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the District and Sessions Judge, Erode, to consider the bail application to be filed by the petitioners on their surrender, on the same day and pass orders on merits in the said petition, pending investigation in Cr. No.136 of 2018 on the file of the Inspector of Police, Arachalur Police Station, Erode District.

For petitioners : Mr. S. Kaithamalai Kumaran

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

O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking a direction to the Principal District and Sessions Judge, Erode, to consider their bail application on the same day on their surrender in Crime No.136 of 2018 pending on the file of the respondent police.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Section 323 IPC r/w Section 3(1)(r) and (s) and 3(2) (va) of the SC/ST [Prevention of Atrocities] Amended 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 (Crl. Side) takes notice for the respondent.

4. Considering the submissions of both sides, the nature of the prayer in this case and also 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, Erode, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.136 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 stands disposed of.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

cad

To

1. The Principal District and Sessions Judge
Erode
2. The Inspector of Police,
Arachalur Police Station
Erode District
- 3 The Public Prosecutor
High Court, Madras

+1cc to Mr.S.KAITHAMALAI KUMARAN Advocate, S.R.No.47307

CRL.OP.No.17780 of 2018

TR(18/07/2018)

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