

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.17785 of 2018

1.S.Nedumaran
2.N.Gopal

... Petitioners

Vs

The State Rep. by its
The Inspector of Police
Kodumudi Police Station
Erode District.

...Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure seeking a direction to the Principal District & Sessions Judge, Erode to entertain the bail petition to be filed by the petitioner in connection with Crime No.160 of 2018 on the file of the respondent and the same may be considered on the same day.

For Petitioners : Mr.N.Umapathi
For Respondent : Mrs.Kritika Kamal.P.
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the Principal District & Sessions Judge, Erode to entertain the bail petition to be filed by the petitioner in connection with Crime No.160 of 2018 on the file of the respondent and the same may be considered on the same day.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 323 and 506(i) of the Indian Penal Code, 1860 and Section 3(1)(r) 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 District & Sessions Judge, Erode, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.160 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

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To

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

+1cc to Mr.N.UMAPATHI, Advocate, S.R.No.45675

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TR(12/07/2018)

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