

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.17915 of 2018

1.Lakshmanan

2.Mahesh @ Durai Maheswaran

3.Selvam @ Selvakumar

4.Giri @ Velliangiri

5.Sathish @ Sateeshkumar

6.Nandhakumar

.... Petitioners

Vs

State rep by
The Inspector of Police
Gobichettipalayam Police Station
Erode District.

...Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., seeking a direction to the Principal Sessions Judge, Erode, to consider the bail application on the very same day in Crime No.347 of 2018 pending on the file of the respondent police.

For Petitioners : Mr.A.Gokulakrishnan

For Respondent : Mr.C.Raghavan

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the Principal Sessions Judge, Erode, to consider the bail application on the very same day in Crime No.347 of 2018 pending on the file of the respondent police.

2. Today, Mr.K.S.Kuttiannan, Special Sub-Inspector, Gobichettipalayam Police Station, Erode District, is present before this Court.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

4. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 143, 341 and 365 of the Indian Penal Code, 1860 and Section 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.

5. The learned Government Advocate (Cr1. Side) submitted that out of 12 persons, 6 persons were arrested and they have also been released on bail.

6. In view of the above and 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 Sessions Judge, Erode, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.347 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 the above direction, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mk

To

1.The Principal and Sessions Judge,
Erode.

2. The Inspector of Police
Gobichettipalayam Police Station
Erode District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Gokulakrishnan, Advocate, S.R.No.47013

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GSP(18/07/2018)