IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.07.2018

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.18394 of 2018

1.Visalatchi
2.Kalaiyarasi ..Petitioners

Vs

The State rep. by
The Inspector of Police,
Kandachipuram Police Station,
Villupuram District. ..Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Principal Sessions Judge, Villupuram to accept the surrender of the petitioners in connection with Cr.No.172 of 2017 on the file of the respondent and consider their bail application on the same day.

For Petitioners : Ms.G.S.Dhanalakshmi
For Respondent : Mr.C.Raghavan, Govt. Advocate

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 Sessions Judge, Villupuram to consider the bail application of the petitioners on the same day on their surrender in Crime No.172 of 2017 pending on the file of the respondent.

2.The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 294[b], 323, 506[i] IPC r/w Section 4 of TNPHW Act, 2002 and Section 3(1)(r) and 3(1)(d) of SC/ST [POA] Amendment 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 takes notice for the respondent.

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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 [POA] Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Villupuram is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.172 of 2017 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 IV)

//True Copy//

Sub Assistant Registrar

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To
1.The Principal Sessions Judge,
Villupuram.

2.The Inspector of Police,
Kandachipuram Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.S.Dhanalakshmi, Advocate, S.R.No.48347

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BM 23/07/2018

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