

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.23356 of 2018

1.Kothandan

2.Anandan

... Petitioners/Accused 2 & 3

Vs

The Inspector of Police,  
Kalasapakkam Police Station,  
Thiruvannamalai District.

(Crime No. 457/2018)

... Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the District Sessions Judge, Thiruvannamalai to accept the surrender of the petitioners herein and consider the bail petition concerned in Crime No.457 of 2018 on the file of the Inspector of Police, Kalasapakkam Police Station, Thiruvannamalai District on the same day itself enlarge the petitioners on bail.

For Petitioners : Mr.D.Balaji

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 District Sessions Judge, Thiruvannamalai to consider the bail application of the petitioners on the same day on their surrender in Crime No.457 of 2018 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 and 506(1) IPC r/w Section 3(1)(r) 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.

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 District Sessions Judge, Thiruvannamalai is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.457 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 is disposed of accordingly.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

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To

1.The District Sessions Judge,  
Thiruvannamalai.

2.The Inspector of Police,  
Kalasapakkam Police Station,  
Thiruvannamalai District.

3.The Public Prosecutor,  
High Court, Madras.

+1 CC to Mr.D. Balaji, Advocate sr 68069.

CRL.OP.No.23356 of 2018

SP(04/10/2018)

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