

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.24755 of 2018

1.Mathiazhagan
2.Gnanasigamani
3.Nagenth

.. Petitioners

Vs

State by
The Inspector of Police,
Keevalur Police Station,
Keevalur, Nagapattinam District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned District Sessions Judge, Nagapattinam to consider the bail application on the same day for the petitioners in Crime No.410 of 2018 on the file of the respondent herein.

For Petitioners : Mr.B.Mahendra Naidu

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, Nagapattinam to consider the bail application of the petitioners on the same day on their surrender in Crime No.410 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, 324 and 307 IPC r/w Sections 3(1)(r), 3(1)(s) and 3(1)(va) of SC/ST [POA] 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) who takes notice for the respondent submitted that this is a case and counter case namely, Crime No.410 of 2018 and 411 of 2018 in which, both parties have assaulted each other, resulting in

injuries to both of them.

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, Nagapattinam is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.410 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.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The learned District Sessions Judge,
Nagapattinam.

2.The Inspector of Police,
Keevalur Police Station,
Keevalur, Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Mahendra Naidu, Advocate, S.R.No.73729

CRL.OP.No.24755 of 2018

rrs 30/10/2018

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