

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25037 of 2018

1.R.Sivasubramaniam
2.Meena @ Meenambigai
3.Meena @ Meenakumari
4.Prabakaran
5.Hemalatha

.. Petitioners

-Vs-

The State rep. by
The Inspector of Police,
Veerapandi Police Station,
Tiruppur City,
Tiruppur District.
(Crime No.652/2018)

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal District and Session Judge at Tiruppur to consider the bail petition filed by the petitioners in connection with the Crime No.652/2018 pending on the file of the respondent police on the same day of their surrender.

For Petitioners : Mr.K.Myilsamy

For Respondent : Mr.C.Raghavan, Govt. Advocate

O R D E R

It is the case of the prosecution that the petitioners had dealt with the land that was allotted to the de-facto complainant. However, the learned counsel for the petitioners submitted that the land was originally allotted to the de-facto complainant by the Revenue Authorities, but, since the de-facto complainant did not make necessary payments, the allotment was canceled on 07.10.1989 and thereafter, it was allotted to one Prabakaran, son of Raghavan. That Meena @ Meenambigai, the 2nd petitioner herein had purchased the land from said Prabakaran/4th petitioner by a sale deed dated 29.02.2016.

2.The learned counsel for the petitioners submit that the petitioners have come forward with this petition seeking for a direction to the learned Principal District and Sessions Judge, Tiruppur to consider the bail application of the petitioners on the same day of their surrender in Crime No.652 of 2018 pending on the file of the respondent.

3.The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 468, 469 and 506 (1) of IPC r/w Section 3(1)(IV), 3(1)(X) of SC/ST [POA] Act, 1989 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.

4. The learned Government Advocate takes notice for the respondent.

5. 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 District and Sessions Judge, Tiruppur is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.652 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

To

1.The Principal District and Sessions Judge,
Tiruppur.

2.The Inspector of Police,
Veerapandi Police Station, Tiruppur District.

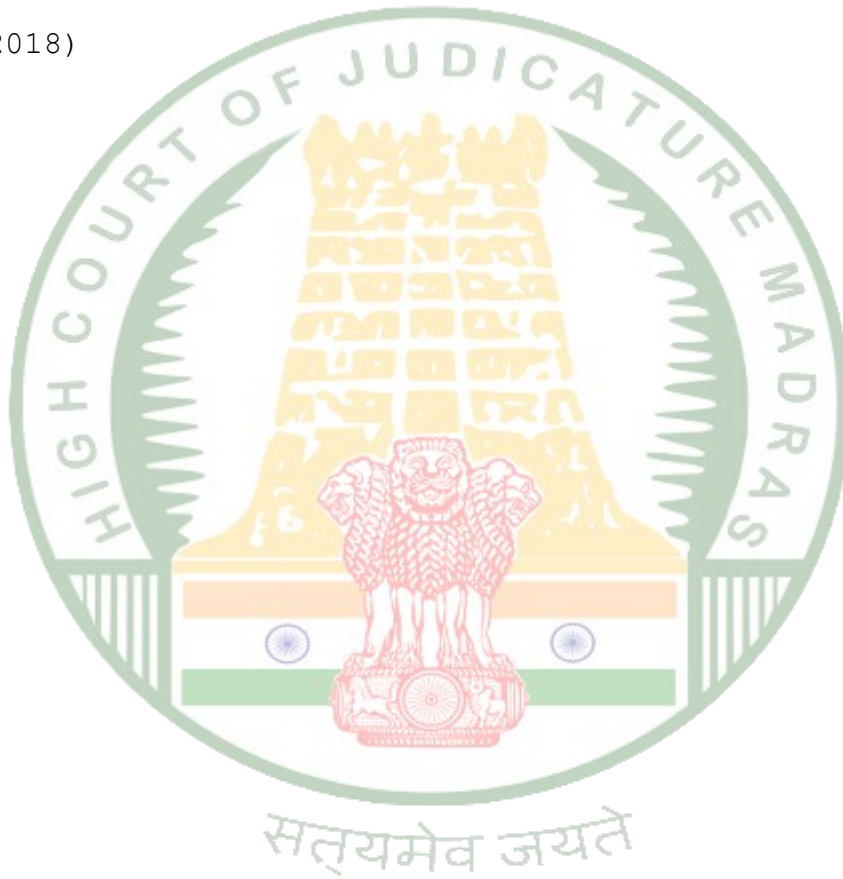
WEB COPY

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.K.Myilsamy, Advocate sr 74234.

CRL.OP.No.25037 of 2018

SP(30/10/2018)



WEB COPY