

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25268 of 2018

1.Saravanan
2.Ramesh
3.Babu @ Vadivel

.. Petitioners

Vs

The Inspector of Police,
Theevattipatti Police Station,
Salem District.
(Crime No.629/2018)

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to issue a direction, directing the Principal District Judge, Salem to consider the bail application being filed by the petitioners on the same day in Crime No.629 of 2018 on the file of the Inspector of Police, Theevattipatti Police Station, Salem District.

For Petitioners : Mr.R.Prabudoss

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

O R D E R

The learned counsel for the petitioners submits that the petitioner has come forward with this petition seeking for a direction to the learned Principal District Judge, Salem to consider the bail application filed by the petitioners on the same day in Crime No.629 of 2018 on the file of the Inspector of Police, Theevattipatti Police Station, Salem District.

2.The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 323, 324 and 506 [ii] of IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(v-a) 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] Amendment Act that the petitioners cannot move any anticipatory bail, the learned Principal District Sessions Judge, Salem is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.629 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 Sessions Judge,
Salem.

2.The Inspector of Police,
Theevattipatti Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.C. Santhosh Kumar, Advocate sr 74099.

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SP(30/10/2018)