

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25393 of 2018

1.Suriya
2.Jothimani
3.Gogulraj
4.Rajakutty
5.Anand
6.Sandhakumar
7.Arul
8.Abdhulla

.. Petitioners/A3 to A10

Vs

The State rep. by
The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.

.. Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the District and Sessions Judge, Ariyalur to consider the bail application filed by the petitioners in connection with the Crime No.275/2018 pending on the file of the Inspector of Police, Thirumanur Police Station, Ariyalur District on their surrender on the same day on such terms and conditions.

For Petitioners : Mr.C.Prabakaran

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

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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 and Sessions Judge, Ariyalur to consider the bail application of the petitioners on the same day of their surrender in Crime No.275 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 147, 148, 294(b), 323 and 506(ii) of IPC r/w Section 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST [POA] Amend 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 Principal District and Sessions Judge, Ariyalur is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.275 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 VII)

//True Copy//

Sub Assistant Registrar

To

1.The District and Sessions Judge,
Ariyalur.

2.The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.74684

CRL.OP.No.25393 of 2018

KJI (CO)
GSP(31/10/2018)