

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.11015 of 2015

1.Vijayakumar
2.M.Neelamegam

...Petitioners/Accused 3 & 4

Vs.

State Rep. By
The Inspector of Police,
Karipatti Police Station,
Salem District.
Crime No.238 of 2015

...Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to issue direction to the Principal Sessions Judge, Salem (the Special Judge for SC/St Cases) to consider the bail application of the petitioners on the same day on their surrender in Crime No.238 of 2015 on the file of the Inspector of Police, Karipatti Police Station, Salem District.

For Petitioners : Mr.B.Vasudevan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned Principal Sessions Judge, Salem (the Special Judge for SC/ST Cases) to consider the bail application of the petitioners on the same day on their surrender in Crime No.238 of 2015 pending on the file of the respondent police.

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), and 506(ii) I.P.C., r/w Section 3(1)(r) and 3(1)(s) of S.C. & S.T. (Prevention of

Atrocities) Act and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail applications and therefore, the petitioners have come forward with the said prayer.

3. The learned Additional Public Prosecutor 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Salem (the Special Judge for SC/ST Cases) is directed to consider the bail applications, in the event of the petitioners filing such petition in Crime No.238 of 2015 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Karipatti Police Station,
Salem District.

2.The Principal Sessions Judge,
Salem (the Special Judge for SC/St Cases)

3.The Public Prosecutor,
High Court, Madras.

1 CC to Mr.B.Vasudevan, Advocate SR.No. 23995

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PA (CO)
PSI (04.05.2015)