

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.11379 of 2015

1.Parthiban
2.Ganapathy
3.Kamaraj
4.Lakshmanan

... Petitioners (Accused)

Vs.

The Inspector of Police,
Tirukoilur Police Station,
Villupuram District.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District and Sessions Court for the Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act at Villupuram to consider their bail application on the same day on merits in accordance with law in the event of their surrender of the petitioners in connection with Crime No.132 of 2015 pending investigation on the file of the respondent.

For Petitioners :: Mr.T.Saravanan

For Respondent :: Mr.C.Emalias
Additional Public Prosecutor

ORDER

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction of the learned Principal District and Sessions Court for the Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act at Villupuram to consider their bail application on the same day on merits in accordance with law in the event of their surrender of the petitioners in connection with Crime No.132 of 2015 pending investigation 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, 324 & 506(ii) I.P.C., r/w.3(i)(r)(s) & Section 3(ii) 5(A) of SC/ST (POA) Amendment Ordinance Act 2014. 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. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case and 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 District and Sessions Judge, for the Scheduled Caste and the Scheduled Tribe, Villupuram, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.132 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.

5. With the above observation, this Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

jbm/ds

To

1. Inspector of Police,
Tirukoilur Police Station,
Villupuram District.
2. The Principal District and Sessions Judge
for the Scheduled Caste and the Scheduled Tribe,
Villupuram.
- 3.The Public Prosecutor,
High Court, Madras.

1 cc to M/s.T. Saravanan, Advocate, Sr. 24365

Cr1. O.P. No.11379 of 2015

RSK (CO)
kk 5/5