

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.13183 of 2015

1. Subbaraya Gounder
2. Achiammal
3. Dharani

... Petitioners

Vs.

1. The Deputy Superintendent of Police,
Erode Sub Division
Erode
2. The Inspector of Police
Arachalur Police Station
Erode District

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Special Judge for SC & ST Act cases / Principal Sessions Court, Erode to consider the Bail Petition to be filed by the Petitioner on their surrender on the same day on merits in connection with the case in Crime No.213 of 2015 pending investigation on the file of the 2nd respondent police.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

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 Special Judge for SC & ST Act cases / Principal Sessions Court, Erode to consider the Bail Petition to be filed by the Petitioners on their surrender on the same day, on merits, in connection with the case in Crime No.213 of 2015 pending investigation on the file of the 2nd 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 447, 307 IPC and Sections 3(1)(r)(s), 3(ii)(v)(a) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Ordinance, 2014 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 Additional Public Prosecutor takes notice for the respondents.

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 Special Judge for SC & ST Act cases / Principal Sessions Court, Erode is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.213 of 2015 pending on the file of the 2nd respondent 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 III)

//True Copy//

Sub Assistant Registrar

ajr

To

1. The Deputy Superintendent of Police,
Erode Sub Division, Erode
2. The Inspector of Police
Arachalur Police Station, Erode District
3. Special Judge for SC & ST Act cases/Principal Sessions Court,
Erode
4. The Public Prosecutor, High Court, Madras.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.26364

CrI. O.P. No.13183 of 2015

ALA(CO)
CA(12/06/2015)