

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.15837 of 2015

1.K.Raja
2.Neelavathi
3.Poongavanam
4.Devaki

...Petitioners

Vs.

State rep.by
The Inspector of Police,
Kai Kalathur Police Station,
Perambalur District.

...Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal Sessions Judge (Special Judge for SC/ST Act), Perambalur, to consider the bail application of the petitioners to be file by the petitioners before the said Court on the same day on their surrender in Crime No.40 of 2015 pending on the file of the respondent police.

For Petitioners : Mr.C.Muruganandam

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 to the learned Principal Sessions Judge (Special Judge for SC/ST Act), Perambalur, to consider the bail application of the petitioners to be filed by the petitioners before the said Court on the same day on their surrender in Crime No.40 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 147, 148, 294B, 323, 324, 354, 506(ii) IPC read with 3(1)(s), 3(2)(va) of S.C. & S.T. (Prevention of

Atrocities) Act, 1989, Amendment Ordinance Act, 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 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 (Special Judge for SC/ST Act), Perambalur, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.40 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 Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Sessions Judge
(Special Judge for SC/ST Act),
Perambalur.

2.The Inspector of Police,
Kai Kalathur Police Station,
Perambalur District.

3.The Public Prosecutor,
High Court, Chennai.

1 CC to Mr.C.Muruganandam, Advocate SR.No. 32551

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NM (CO)
PSI (03.07.2015)