

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.16353 of 2015

1.Vinoth Kumar
2.Sampathkumar
3.Dass

...Petitioners/Accused No.1 & 3

Vs.

State Represented By
Inspector of Police,
Kottur Police Station,
Thiruvavur District.
(Crime No.135/15)

...Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned 1st Additional Sessions Judge (PCR Judge), Thanjavur to consider the bail petition preferred by the petitioner's upon their surrender in Crime No.135 of 2015 on the file of the respondent Police on the same day.

For Petitioners : Mr.Swami Subramanian

For Respondent : 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 1st Additional Sessions Judge (PCR Judge), Thanjavur to consider the bail petition preferred by the petitioner's upon their surrender in Crime No.135 of 2015 on the file of the respondent Police on the same day.

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), 324 IPC r/w 3(1)(s) 3(2) V(a) of S.C. & S.T. (Prevention of Atrocities) 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 1st Additional Sessions Judge (PCR Judge), Thanjavur is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No. 135 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

ds

To

1. Inspector of Police,
Kottur Police Station,
Thiruvarur District.
2. The 1 Additional Sessions Judge (PCR Judge),
Thanjavur
3. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.Swami Subramanian, Advocate SR.No. 32705

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PSI (06.07.2015)