

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.18228 of 2015

1.S.Vijayakumar
2.C.Jambu @ Jambulingam

...Petitioners

Vs.

State by
The Deputy Superintendent of Police,
Perur,
Perur Police Station,
Coimbatore District.
(Crime No.164 of 2015)

...Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal Sessions Judge/Special Court constituted under S.C & S.T. (Prevention of Atrocities) Act, Coimbatore to consider the petitioner's bail application on his surrender on the same day in respect of Crime No.164 of 2015 on the file of the Deputy Superintendent of Police, Perur, Perur Police Station, Coimbatore District.

For Petitioners : Mr.M.Easan

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 Court constituted under S.C & S.T. (Prevention of Atrocities) Act, Coimbatore to consider the petitioner's bail application on his surrender on the same day in respect of Crime No.164 of 2015 on the file of the Deputy Superintendent of Police, Perur, Perur Police Station, Coimbatore District.

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), 323, 324, 354, 379 of IPC

(N.P) r/w 3(1)(r)(s) and 3(2)(v a) of S.C/S.T. (P.A) 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 Court constituted under S.C & S.T. (Prevention of Atrocities) Act, Coimbatore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.164 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. The Deputy Superintendent of Police,
Perur Police Station, Perur, Coimbatore District.
2. The Principal Sessions Judge/Special Court
S.C & S.T. (Prevention of Atrocities) Act, Coimbatore.
3. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.M.Easan, Advocate SR.No. 36903

Cr1. O.P. No.18228 of 2015

PPA (CO)
PSI (22.07.2015)