

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.18967 of 2015

1.Muthukumar
2.Duraisamy

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Avinashi,
Tiruppur District.

2.The Inspector of Police,
Sevur Police Station,
Tiruppur District. ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Special Judge for SC & ST Act Cases/Principal Sessions Court, Tiruppur, to consider the bail petition to be filed by the petitioners, on their surrender on the same day, on merits in Crime No.322 of 2015 pending investigation on the file of the 1st respondent police.

For Petitioners :: Mr.R.Prabakar

For Respondents :: Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

Seeking for a direction to the learned Special Judge for SC & ST Act Cases/Principal Sessions Court, Tiruppur, to consider the bail petition to be filed by the petitioners, on their surrender on the same day, on merits, in Crime No.322 of 2015 pending investigation on the file of the 1st respondent police, the petitioners have come up with this petition.

2.The learned counsel for the petitioners submitted that the petitioners have been implicated in this case for the alleged offences under Sections 294B, 323, 324 and 506(ii) IPC read with Section 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, 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, Tiruppur, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.322 of 2015 on the file of the Ist 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

True Copy

Sub Assistant Registrar

mps

To

1.The Special Judge for SC & ST Act Cases/
Principal Sessions Court, Tiruppur.

2.The Deputy Superintendent of Police,
Avinashi,
Tiruppur District.

3.The Inspector of Police,
Sevur Police Station,
Tiruppur District.

4.The Public Prosecutor,
High Court, Chennai.

1 cc to Mr. R.Prabakar, Advocate Sr.No.38288

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Cr1.O.P.No.18967 of 2015