

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.23369 of 2015

1.R.Senthilkumar
2.Selvi

.. Petitioners/A1 and A2

Vs.

1.The Superintendent of Police,
Erode, Erode District.

2.The Inspector of Police,
Erode South Police Station,
Erode District.

Crime No.648 of 2015.

.. Respondents/Complainants

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 District and 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.648 of 2015, pending investigation on the file of the 1st respondent Police.

For Petitioners

:: Mr.R.Prabakar

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 Special Judge for SC & ST Act cases / Principal District and Sessions Court, Erode to consider the bail application of the petitioners on the same day on their surrender in Crime No.648 of 2015 pending on the file of the first 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, 294(b), 323, 324 IPC and Sections 3(1)(x) of the SC/ST 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 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 Special Judge for SC & ST Act cases / Principal District and Sessions Court, Erode is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.648 of 2015 on the file of the first 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

ds
To

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

1 cc to Mr.R.Prabakar , Advocate Sr.No.50335

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