

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.24055 of 2015

1.Ramesh
2.Karthika
3.Rani

.. Petitioners/Accused 1 to 3

Vs.

The State Rep. by its
The Inspector of Police,
Omalur Police Station,
Salem District.
(Crime No.763 of 2015)

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Cr.P.C., praying to direct the District and Sessions Court, Salem (Special Judge for SC & ST Act) to consider the petitioners surrender and pass appropriate orders on the bail application filed by the petitioner on the same day itself in connection with the Crime No.763 of 2015 on the file of Omalur Police Station, Salem District.

For Petitioners :: Mr.T.Ganesan

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 District and Sessions Court, Salem (Special Judge for SC & ST Act) to consider the bail application of the petitioners on the same day on their surrender in Crime No.763 of 2015, pending on the file of 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 294(b), 323, 354 of IPC, r/w Section 3 of Protection of Civil Rights Act 1955 and 3(1)(x) of SC/ST (POA) 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 District and Sessions Court, Salem (Special Judge for SC & ST Act) is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.763 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ds
To

1.The Inspector of Police,
Omalur Police Station, Salem District.

2.The District and Sessions Judge
(Special Judge for SC/ST Act), Salem.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.T.Ganesan Counsel for the Petitioner
sr.51833/15

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