

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.25060 of 2015

1.Tyre Kadai Balu @ Balachandran  
2.Venkatesh  
3.Suresh

.. Petitioners

Vs

State rep. by  
The Inspector of Police,  
Thalaivasal Police Station,  
Salem District.

.. Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal Sessions Judge, Salem (The Special Judge for SC/ST Act cases) to consider petitioners bail petition in crime No.401/2015 on the file of the Inspector of Police, Thalaivasal Police Station, Salem District on their surrender on the same day.

For Petitioners : Mr.B.Vasudevan  
For Respondent : Mr.C.Emalias, APP

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, Salem [Spl. Judge for SC/ST Act cases] to consider the bail application of the petitioners on the same day on their surrender in Crime No.401 of 2015 pending on the file of the respondent.

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, 323, 324, 436, 506[ii] IPC r/w 3[1][x] of SC & ST [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 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 SC & ST [Prevention of Atrocities] Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Salem [Spl. Judge for SC/ST Act cases] is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.401 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

To

1.The Principal Sessions Judge,  
Salem. [Spl. Judge for SC/ST Act cases]

2.The Inspector of Police,  
Thalaivasal Police Station,  
Salem District.

3.The Public Prosecutor,  
High Court, Madras.

+1 cc to Mr.B.Vasudevan Advocate sr.55162

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