

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2015

CORAM

THE HON'BLE MR.JUSTICE R.S.RAMANATHAN

CRL.O.P.No.7670 of 2015

1.Palanisamy
2.Rajendran @ Krishnan
3.Senthil @ Raja Gounder
4.Seerangan @ Mani Gounder ...Petitioners

Vs.

State by
The Deputy Superintendent of Police,
Sankari Sub Division,
Salem District. ...Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the learned District and Sessions Judge of Salem cum Special Court for SC/ST Act cases to dispose the bail petition on the same day in accordance with law on surrender of the petitioners in connection with P.R.C.No.5 of 2014 on the file of the learned Judicial Magistrate, Sankarai in Crime No.346 of 2010 on the file of the Poolampatti Police Station, Salem District.

For Petitioners : Mr.S.Lakshmanasamy

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

The petitioners seek for a direction upon the learned District and Sessions Judge cum Special Court for SC/ST Act cases, Salem, to consider their bail application on the same day in the event of their surrender in connection with P.R.C.No.5 of 2014 on the file of the learned Judicial Magistrate, Sankarai in Crime No.346 of 2010 on the file of the Poolampatti Police Station, Salem District.

2. The petitioners are accused of the offences punishable under Sections 341, 323 and 324 of IPC read with Sections 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Amendment Ordinance Act, 2014.

3. The submissions made by the learned counsel appearing for petitioners and learned Additional Public Prosecutor, representing the respondent were heard. The materials available on record were also perused.

4. Considering the nature of offences alleged against the petitioners, the fact that anticipatory bail cannot be granted in respect of the offences punishable under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014, and that taking into custody of the petitioners, pending consideration of their bail application could cause them irreparable hardship, this Court considers it appropriate to direct the learned District and Sessions Judge cum Special Court for SC/ST Act cases, Salem, to consider the bail application of the petitioners on merits and pass appropriate orders on the same day of their surrender.

5. Accordingly, the Criminal Original Petition is ordered.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Sankari Sub Division,
Salem District.
2. The Inspector of Police,
Poolampatti Police Station,
Salem District.
3. The Public Prosecutor,
High Court of Madras, Chennai.
4. The District and Sessions Judge,
Cum Special Court for SC/ST Act Cases,
Salem.

CRL.O.P.No.7670 of 2015

PSI (26.03.2015)