

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

Crl.O.P.No.10252 of 2016

1.Manikandan
2.Vijayakumar

... Petitioners

Vs.

State By
The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.
Crime No.121 of 2016

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District Sessions Judge Thiruvannamalai (Special Court for SC/ST POA Act Cases) to consider the bail petition of the petitioners on the same day in the event of surrender by the petitioners and seeks bail in Crime No.121 of 2016 on the file of the Inspector of Police, Kadaladi Police Station, Thiruvannamalai District.

For Petitioners
For Respondent

: Mr.S.Silambu Selvan
: Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The learned counsel for the petitioners submit that the petitioners have come forward with this petition seeking for a direction to the learned Principal District Sessions Judge, Thiruvannamalai (Special Court for SC/ST POA Act Cases) to consider the bail application of the petitioners on the same

day on their surrender in Crime No.121 of 2016 pending on the file of the respondent.

2.The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294(b), 323, 324 of I.P.C. r/w 3(1)(r) of SC/ST Amended Amendment Act, 2014 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 Principal District Sessions Judge Thiruvannamalai, (Special Court for SC/ST POA Act Cases) is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.121 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day. With the above observation, this petition is disposed of.

05.05.2016

To

- 1.The Principal District Sessions Judge,
Thiruvannamalai
(Special Court for SC/ST POA Act Cases).
- 2.The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.
Crime No.121 of 2016
- 3.The Public Prosecutor,
High Court, Madras.

P.KALAIYARASAN,J.
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