

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.11721 of 2016

1.S.Rajesh

2.K.Rajasekaran

... Petitioners

Vs

The State of Tamilnadu

Rep.by its Inspector of Police,

Brammadesam Police Station,

Tindivanam Taluk,

Villupuram District.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Session Court, Villupuram Principal District Sessions Judge Villupuram Special Judge for Prevention of SC/ST Atrocities to accept surrender of the petitioner in Cr.No.202 of 2016 (on the file of the Inspector of Police, Brammadesam Police Station, Villupuram) and consequently consider the petitioner's bail application on the same day.

For Petitioners : Mr.N.Desinghu

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Session Court, Villupuram Principal District Sessions Judge Villupuram Special Judge for Prevention of SC/ST Atrocities, to consider the petitioners bail application to be filed in Crime No.202 of 2016 on the file of the respondent police on the same day.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 341, 342, 294(b), 363, 324, 506(ii) IPC and Section 3(1) of TNPPDL Act & Section 3(1)(r)(s), 3(2) (va) of SC/ST (POA) Amendment Act, 2015 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 Session Court, Villupuram Principal District Sessions Judge Villupuram Special Judge for Prevention of SC/ST Atrocities, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.202 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Inspector of Police,
Brammadesam Police Station,
Tindivanam Taluk,
Villupuram District.
2. The Session Court, Villupuram,
(Principal District Sessions Judge,
Villupuram Special Judge
for Prevention of SC/ST Atrocities)
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Desinghu, Advocate, S.R.No.31003

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KGK(CO)
CA(15/06/2016)