

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.11725 of 2016

1.Soundar
2.Karunakaran
3.Panner
4.Selvam

... Petitioners

Vs

State By,
The Inspector of Police,
Mangalam Police Station,
Thiruvannamalai District.
(Crime No.114 of 2016).

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal District and 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.114 of 2016 pending on the file The Inspector of Police, Mangalam Police Station, Thiruvannamalai District.

For Petitioners :Mr.S.Silambu Selvan

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Principal District and Sessions Judge, Thiruvannamalai (Special Court for SC/ST POA Act Cases) to consider the petitioners bail application to be filed in Crime No.114 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, 294(b), 323, 324, 506(ii) IPC, r/w 3(1)(r) of SC/ST (POA) Amendment Ordinance 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 and 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.114 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 this observation, this petition is disposed of accordingly.

sms

s/d-
Assistant Registrar(CS-III)

True Copy

Sub Assistant Registrar.

To

1. The Inspector of Police,
Mangalam Police Station,
Thiruvannamalai District.
2. The Principal District Sessions Judge,
Thiruvannamalai
(Special Court for SC/ST POA Act Cases)
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.Silambuselvan, Advocate SR 30405

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CrI.OP.No.11725 of 2016