

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP.No.13746 of 2016

1 NASAR
2 THOULATH BEE .. PETITIONER

1 STATE BY
INSPECTOR OF POLICE,
BOMMIDI POLICE STATION,
DHARMAPURI DISTRICT,
CR.NO.101/2016. .. RESPONDENT

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principle sessions and District Judge, Dharmapuri (Special Court for SC/ST prevention of Atrocities Act) to accept the surrender of the petitioners herein concerned in Crime No.101 of 2016 on the file of the Inspector of Police, Bommidi Police Station, Dharmapuri District and consider their bail application on the same day itself.

For Petitioners :Mr.K.Balu

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principle sessions and District Judge, Dharmapuri (Special Court for SC/ST prevention of Atrocities Act) to accept the surrender of the petitioners herein concerned in Crime No.101 of 2016 on the file of the Inspector of Police, Bommidi Police Station, Dharmapuri District and consider their bail application on the same day itself.

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, 323, 506(ii) IPC and 3(1)(r) & (s) SC/ST (Prevention of Atrocities) 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 Principle sessions and District Judge, Dharmapuri (Special Court for SC/ST prevention of Atrocities Act), is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.101 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 criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Bommidi Police Station,
Dharmapuri District
2. The Principle sessions and District Judge,
Dharmapuri,
(Special Court for SC/ST prevention of Atrocities Act).
3. The Public Prosecutor,
High Court, Madras.

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NM[CO]
SRG 04/07/2016