

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.15187 of 2016

1.Muthusamy
2.Ganesan
3.Kannammal

... Petitioners

Vs

State rep. by
The Inspector of Police,
Ayilpatty Police Station,
Namakkal District.

... Respondent

Criminal, Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal Sessions and District Judge, Namakkal [Spl. Judge for SC/ST Act] to consider the bail application on the same day on such terms and conditions concerned in Crime No.106 of 2016 on the file of the Inspector of Police, Ayilpatty Police Station, Namakkal District on such terms and conditions.

For Petitioners : Mr.W.Camyles Gandhi

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned Principal Sessions and District Judge, Namakkal [Spl. Judge for SC/ST Act] to consider the bail application of the petitioners on the same day on their surrender in Crime No.106 of 2016 pending on the file of the respondent.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 294[b] and 323 IPC, r/w 3[1][s] of 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 SC & ST [Prevention of Atrocities] Amendment Act, 2015 that the petitioners cannot move any anticipatory bail, the learned Principal Sessions and District Judge, Namakkal [Spl. Judge for SC/ST Act] is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.106 of 2016 on the file of the respondent police and dispose of the same on merits, in accordance with law on the same day.

With the above observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Sessions and District Judge,
Namakkal [Spl. Judge for SC/ST Act]
- 2.The Inspector of Police,
Ayilpatty Police Station,
Namakkal District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.W.Camyles Gandhi, Advocate, S.R.No.40080

CRL.OP.No.15187 of 2016

KJI (CO)
CA(19/07/2016)