

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.15322 of 2016

1.N.Pukazhenth
2.A.Sugumar
3.M.Srithar
4.B.Balachandran
5.Robin Richard Jayakumar
6.J.Arun
.... Petitioners

Vs

State rep. by
The Deputy Superintendent of Police,
Myladuthurai,
Sembanarkoil Police Station,
Nagapattinam District.
... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal Sessions Judge/Special Court under SC & ST [Prevention of Atrocities] Act, Thanjavur District to consider their bail application on their surrender on the same day in respect of Crime No.277 of 2016 on the file of the Deputy Superintendent of Police, Myladuthurai, Sembanarkoil Police Station, Nagapattinam District.

For Petitioners : Mr.N.Sivakarthish

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

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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 Judge/Special Court under SC & ST [POA] Act, Thanjavur to consider their bail application on the same day on their surrender in Crime No.277 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 147, 294[b] and 506[ii] IPC r/w Section 3[1][r], 3[1][s] and 3[2][v-a] 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 Judge/Special Court under SC & ST [POA] Act, Thanjavur is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.277 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 this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Principal Sessions Judge/
Spl. Court under SC & ST [POA] Act,
Thanjavur.

2.The Deputy Superintendent of Police,
Myladuthurai,
Sembarkoil Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Anand Kumar, Advocate, S.R.No.41016

CRL.OP.No.15322 of 2016

VS (CO)

CA/20/07/2016)

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