

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.16276 of 2016

1. Senthilkumar
2.Kali @ Tamilarasan Petitioners

Vs

State rep.by
Inspector of Police,
Senthamangalam Police Station,
Namakkal District.
Crime No.127 of 2016 Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Namakkal to consider the bail application on the same day on surrender of the petitioner in Crime No.127/2016 on the file of the respondent police.

For Petitioners :Mr.R.Nalliyappan

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Namakkal to consider the bail application on the same day on surrender of the petitioner in Crime No.127/2016 on the file of the respondent police.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b) IPC read with Section 3 (i) (r)(s) 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 Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Namakkal, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.127 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sms

To

1. The Principal Sessions Judge
and Special Judge, for prevention of SC &
ST Arocities Act,
Namakkal

2. Inspector of Police,
Senthamangalam Police Station,
Namakkal District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Nalliyappan Advocate sr.42798

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