

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.16441 of 2016

1.A.Natarajan

2.Senthil Kumar

... Petitioners

Vs

The State rep by
The Inspector of Police,
Sulur Police Station,
Coimbatore District.
Crime No.543/2016

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Special Judge for SC/ST (P.A.) Act (Principal District and Sessions Judge, Coimbatore) to accept the petitioners surrender and to consider the bail petition on the same day on filing the petition for bail in Crime No.543/2016 on the file of the respondent police.

For Petitioners :Mr.A.R.Suresh

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

ORDER

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned Special Judge for SC/ST (P.A.) Act (Principal District and Sessions Judge, Coimbatore), to consider the bail application of the petitioners on the same day on their surrender in Crime No.543 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], 323, 506(ii) IPC r/w Section 3[1][r], 3[1][s], 3[1][w][1] and 3[2][va] of SC & ST [P.O.A] Amendment Act 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 SC & ST [Prevention of Atrocities] Amendment Act 2015 that the petitioners cannot move any anticipatory bail, the learned Special Judge for SC/ST (P.A.) Act (Principal District and Sessions Judge, Coimbatore), is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.543 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.

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1.The Special Judge for SC/ST (P.A.) Act
Principal District and Sessions Judge,
Coimbatore.

2.The Inspector of Police,
Sulur Police Station,
Coimbatore District.

3.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.A.R.Suresh, Advocate SR 43172

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