

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.18141 of 2016

1.Babu
2.Vadivel
3.Suresh
4.Muliyar @ Nilavalagan ... Petitioner/Accused

Vs

The State rep by
The Inspector of Police,
Kumaratchi Police Station,
Kumaratchi, Cuddalore District. ... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Special Judge for SC/ST Act Cases/Principal District and Sessions Court, Cuddalore to consider and pass orders on the bail applications of the petitioners on the same day on merits in the event of the petitioners surrender and filing bail applications in Crime No.151 of 2014 pending on the file of the respondent.

For Petitioners : Mr.T.Gobinath
For Respondent : Mr.C.Emalias, APP

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 District and Sessions Judge [Spl. Judge for SC/ST Act Cases], Cuddalore to consider the bail application of the petitioners on the same day on their surrender in Crime No.151 of 2014 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 Section 147, 148, 294[b], 323, 324, 379, 427, 448, 506[ii] IPC and Section 4 of Tamil Nadu Women Harassment Act r/w 3[1][r], 3[1][s] and 3[2][v-a] of SC & ST [Prevention of Atrocities] Act 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] Act that the petitioners cannot move any anticipatory bail, the learned Principal District and Sessions Judge [Spl. Judge for SC/ST Act Cases], Cuddalore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.151 of 2014 on the file of the respondent police within a period of two weeks from the date of receipt of a copy of this order, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

gva

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1.The Principal District and Sessions Judge,
Cuddalore.

2.The Inspector of Police,
Kumaratchi Police Station,
Kumaratchi,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.T.Gobinath, Advocate SR 46551

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