

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.19262 of 2016

1.S.Meenakshi
2.A.Murugan

.. Petitioners

Vs

State rep.by
The Inspector of Police,
Kanjapur Police Station,
Villupuram, Villupuram District
Crime No.86 of 2014

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Special Judge for SC/ST cases, Villupuram to consider the bail application of the petitioners on the same day in the event of their surrender in Spl.S.C.No.71 of 2016 on the file of Hon'ble Special Judge for SC/ST cases, Villupuram in Crime No.86 of 2014 on the file of the respondent police.

For Petitioners

:Ms. S.Sumithra

For Respondent

:Mr. C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Special Judge for SC/ST cases, Villupuram to consider the bail application of the petitioners on the same day in the event of their surrender in Spl.S.C.No.71 of 2016 on the file of Hon'ble Special Judge for SC/ST cases, Villupuram in Crime No.86 of 2014 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 147, 148, 294, 323, 324, 506 (ii) IPC r/w 3(1)(s), (PoA) SC/ST Act Amendment Ordinance 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail.

5. The learned Special Judge for SC/ST cases, Villupuram is directed to consider, on the petitioners' surrendering before the said Court within a period of two weeks from the date of receipt of a copy of this order, the bail application, in the event of the petitioners' filing such petition in Crime No.86 of 2014 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.

02.09.2016

sms

Note: Issue order copy on 06.09.2016

To

1. State rep.by
The Inspector of Police,
Kanjapur Police Station,
Villupuram, Villupuram District
Crime No.86 of 2014
2. The learned Special Judge for SC/ST cases,
Villupuram.
3. The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH,J.
sms

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