

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.19619 of 2016

1.Arumugam @ Suresh
2.P.Ezhumalai
3.Ganesh Kumar @ Durai
4.Sankar
5.Sakthivel
6.Ezhumalai
7.Raja
8.Durai
9.Kumar
10.Arulpandi
11.Ramki
12.Balaraman
13.Raja

.. Petitioners

The State rep. by
The Inspector of Police,
Mailam Police Station,
Villupuram District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Sessions Court, Villupuram to consider the bail application of the petitioners on the same day in Crime No.516 of 2012 on the file of the learned Special Court-cum-Sessions Judge for SC/ST Act Cases, Villupuram in event of the surrender.

For Petitioners : Mr.V.Chithra
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 Sessions Judge, Villupuram [Spl. Judge for SC/ST Act Cases] to consider the bail application of the petitioners on the same day on their surrender in Crime No.516 of 2012 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, 148, 294[b], 323 and 506[iii] IPC, r/w Section 3[i][x] of SC/ST Act, 1989 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 Sessions Judge, Villupuram [Spl. Judge for SC/ST Act Cases] is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.516 of 2012 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 the above observation, this petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

To

1.The Sessions Judge,
Villupuram. [Spl. Judge for SC/ST Act Cases]

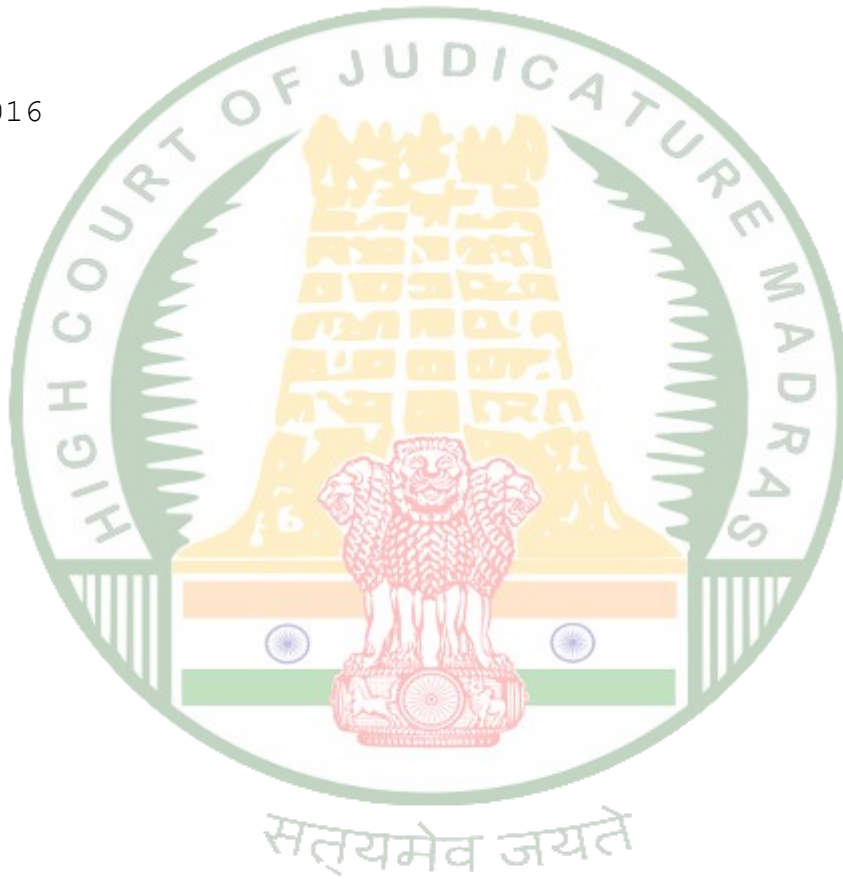
2.The Inspector of Police,
Mailam Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.V.Chithra Advocate vide sr 50775

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