

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.21819 of 2016

1.Vijiya
2.Pushpathal @ Papaathi
3.Ramasamy
4.Navinraj @ Naveenkumar ...Petitioners

Vs

State rep.by
Inspector of Police,
Bhavanisagar Police Station,
Erode District.
(Crime No.224 of 2016) ...Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Principal Sessions and District Judge, Erode (Special Court for SC/ST Prevention of Atrocities Act) to accept the surrender of the petitioners herein concerned in Crime No.224 of 2016 on the file of the Inspector of Police, Bhavanisagar Police Station, Erode District and consider their bail application on the same day itself.

For Petitioners :Mr.M.Kalaiyarasan

For Respondent :Mr. C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principal District and Sessions Judge, (Special Court for SC/ST Prevention of Atrocities Act), Erode, to consider the petitioners bail application on their surrender on the same day in respect of Crime No.224 of 2016 on the file of the Inspector of Police, Bhavanisagar Police Station, Erode District.

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), 324 IPC and 3(1)(r) & (s) and 3(2)(v a) of SC/ST Amendment Ordinance 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail.

5. The learned Principal District and Sessions Judge, (Special Court for S.C and S.T Prevention of Atrocities Act), Erode, 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.224 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.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District & Sessions Judge,
(Special Court for SC & ST Prevention ACT)
Erode District.

2. Inspector of Police,
Bhavnisagar Police Station,
Erode District.

3. The Public Prosecutor,
High Court, Madras.

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CP(CO)

Eu 07/10/16