

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.21936 of 2016

1. Padhukul Jaman
2. Khuraisa Beevi ... Petitioners

Vs

State rep.by
The Deputy Superintendent of Police,
Myladuthurai,
Sembanarkoil Police Station,
Nagapattinam District. ... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal Sessions Judge/Special Court constituted under S.C. & S.T (Prevention of Atrocities) Act, Thanjavur to consider their bail application on their surrender on the same day in respect of Crime No.343 of 2014 on the file of the Deputy Superintendent of Police, Myladuthurai, Sembanarkoil Police Station, Nagapattinam District.

For Petitioners : Mr.S.Anandha Kumar

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principal Sessions Judge/Special Court, Thanjavur, to consider their bail application on their surrender on the same day in Crime No.343 of 2014 on the file of the respondent.

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(b), 506 (i), 379 of IPC and r/w 3(1)(s) & 3(2)(va) of SC & S.T. (POA) 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 submitted that the investigation has been completed in Cr.No.343 of 2014 and the final report was filed in PRC No.9 of 2015 before the Jurisdictional Magistrate.

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, the Learned Principal Sessions Judge/Special Court, Thanjavur, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.343 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 Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Myladuthurai,
Sembanarkoil Police Station,
Nagapattinam District.
2. The Principal Sessions Judge/Special Court,
Thanjavur.
3. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.S.Ganeshbabu, Advocate Sr.57533

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srg 07/10/2016