

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.23776 of 2016

1. Devaki,
2. Selvi,
3. Natarajan,
4. Ramachandran,
5. Periyasamy ... Petitioners

Vs

State rep. by
The Inspector of Police,
All Women Police Station,
Kallakurichi, Villupuram District. ... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Additional Sessions Judge cum - Special Judge, Villupuram (Special Judge in Prevention of SC/ST Atrocities Act, 2015) to consider the Bail Application of the Petitioner herein in Crime No.33 of 2016 on the file of the Respondent Police, on the same day of their surrender.

For Petitioners : Mr.V.Gunasekar

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the Additional Sessions Judge cum - Special Judge, Villupuram (Special Judge in Prevention of SC/ST Atrocities Act, 2015) to consider the Bail Application of the Petitioners in Crime No.33 of 2016 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, 498(A), 352 of IPC 3(1) (w)(i) and 3(2) (v) of SC/ST (Prevention of Atrocity) Amendment Act, 2015 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, the Additional Sessions Judge cum Special Judge, Villupuram (Special Judge in Prevention of SC ST Atrocities Act, 2015) is directed to consider the bail application, in the event of the petitioners filing such petition in Cr.No.33 of 2016 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.

With this observation, this Criminal Original Petition is disposed of accordingly.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

- 1.The Additional Sessions Judge cum Special Judge,
Villupuram.
2. The Inspector of Police,
All Women Police Station,
Kallakurichi, Villupuram District.
- 3.The Public Prosecutor,
High Court, Chennai.

+1 cc to Mr.V.Gunasekar,advocate,sr.61219.

vs(co)
krd 1/11

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