IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2017

CORAM

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

Crl.OP.No.9148 of 2017

1.Nallusamy

2.Rengasamy

3.Venkatesh

4.Sabarinathan ... Petitioners

Vs

State by
The Sub-Inspector of Police
Maruvathur Police Station,
Perambalur,
Perambalur District.
Crime No.145 of 2017. ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Sessions Judge, [Special Court constituted under S.C. & S.T.(prevention of Atrocities) Act], Perambalur to consider the petitioners bail application on the same day on merits in respect of Crime No.145 of 2017 on the file of respondent police.

For Petitioners : Mr.R.Gokulakrishnan

For Respondent : Mr.B.Ramesh Babu
Government Advocate(Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the learned Principal Sessions Judge, (Special Court for SC/ST cases), Perambalur to accept the surrender of the petitioners and consider their bail petition on the same day on merits in respect of Crime No.145 of 2017 on the file of 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, 294(b), 323, 324, 336, 506(ii) IPC, r/w Section 3(1)(r) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act 1989, Amendment 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 Government Advocate (Crl.side) 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 learned Principal Sessions Judge, (Special Court for SC/ST cases), Perambalur, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.145 of 2017 pending 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 consider the same in accordance with law on the same day.

With this observation, this criminal original petition is disposed of.

05.05.2017

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Note: Issue order copy on 08.05.2017.

To

1. The Principal Sessions Judge,
   (Special Court for S.C & S.T. Cases)
   Perambalur.

2. The Sub-Inspector of Police,
   Maruvathur Police Station,
   Perambalur,
   Perambalur District.

3. The Public Prosecutor,
   High Court, Madras.

P.KALAIYARASAN, J.

mk

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