

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20200 of 2018

1.Venkatesan
2.Raghu
3.Renu
4.Arul

.. Petitioners

Vs

The State rep. by
The Sub-Inspector of police,
Kandamangalam Police Station,
Villupuram District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned District and Sessions Judge (Special Court for SC/ST Act), Villupuram to consider the bail application of the petitioners on their surrender before the court on the same day on merits in accordance with law in connection with Crime No.485 of 2018 pending investigation on the file of the respondent.

For Petitioners : Mr.S.N.Arun Kumar

For Respondent : Mr.C.Raghavan, Govt. Advocate

O R D E R

The learned counsel for the petitioners submit that the petitioners have come forward with this petition seeking for a direction to the learned District and Sessions Judge (Special Court for SC/St Act), Villupuram, to consider the bail application of the petitioners on the same day on their surrender in Crime No.485 of 2018 pending on the file of the respondent.

2. The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under

Sections 147, 294(b), 323, 324, 342 of IPC r/w Section 4 of TNPHW Act and Section 3(1)(r), 3(1)(s) of SC/ST [POA] Amendment Act, 2015 and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move

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any anticipatory bail application and therefore, the petitioners have come forward with the said prayer.

3. The learned Government Advocate 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 [POA] Act that the petitioners cannot move any anticipatory bail, the learned District and Sessions Judge (Special Court for SC/St Act), Villupuram, is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.485 of 2018 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.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.District and Sessions Judge (Special Court for SC/St Act), Villupuram.

2.The Sub-Inspector of police,
Kandamangalam Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.
+lcc to Mr.S.N.ArunKumar, Advocate, S.R.No.56324

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SV(CO)
GSP(16/08/2018)