

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.10391 of 2018

1.Lenin  
2.Mathavan  
3.Manikandan

.. Petitioners/Accused Nos.3 to 5

Vs

State by  
Inspector of Police,  
Edaiyur Police Station,  
Thiruvarur District.

.. Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Special Court for PCR cases cum District and Sessions Judge, Thiruvarur to consider the bail application of the petitioners on the same day of their surrender in Cr.No.37 of 2018 on the file of the respondent police.

For Petitioners : Mr.J.Jawahar  
For Respondent : Ms.P.Kritika Kamal  
Govt. Advocate (Crl. Side)

O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the Special Court for PCR cases cum District and Sessions Judge, Thiruvarur to consider the bail application of the petitioners on the same day on their surrender in Crime No.37 of 2018 pending on the file of the respondent.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 324, 506(2) of IPC and 3(1)(r), 3(1)(s), 3(2)(va) of SC&ST [Prevention of Atrocities] 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 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 SC & ST [Prevention of Atrocities] Act that the petitioners cannot move any anticipatory bail, the Special Court for PCR cases cum District and Sessions Judge, Thiruvavarur is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.37 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

cla

To

1. The District and Sessions Judge,  
Special Court for PCR cases  
Thiruvavarur.

2.The Inspector of Police,  
Edaiyur Police Station,  
Thiruvavarur District.

3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.J.JAWAHAR, Advocate, S.R.No. 24760

CRL.OP.No.10391 of 2018

SJ(CO)

TR(04/04/2018)