

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.10671 of 2018

1.Elumalai

2.Parameshwaren

3.Kathavarayan Petitioners

Vs

State Rep. Inspector of Police
Sooramangalam Police Station
Salem District ...Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Session Judge, Salem (the Special Judge for SC/ST Act Cases) to consider the bail application on the same day on their surrender in Crime No.348 of 2018 on the file of the Inspector of Police, Sooramangalam Police Station, Salem District.

For Petitioners : Mr.B.Vasudevan
For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the Principal Session Judge, Salem (the Special Judge for SC/ST Act Cases) to consider the bail application on the same day on their surrender in Crime No.348 of 2018 on the file of the Inspector of Police, Sooramangalam Police Station, Salem District.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b) and 324 of the Indian Penal Code, 1860 and Section 3(1)(r), 3(1)(s) and 3(2)(va) 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 Principal Session Judge, Salem (the Special Judge for SC/ST Act Cases) is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.348 of 2018 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.

Sd/-
Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

To

1. The Principal Sessions Judge
(Special Judge of SC/ST Cases)
Salem District.
2. The Inspector of Police
Sooramangalam Police Station
Salem District
3. The Government Advocate (Crl. Side)
High Court, Madras.

+1cc to Mr.B.Vasudevan, Advocate sr.no.6589

Crl.OP.No.10671 of 2018

nr 06/04/2018