

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.11657 of 2018

1.V.Perumal
2.P.Sivaselvam
3. Anandhavalli ... Petitioners/accused

Vs

State Rep. by
The Inspector of Police
Mailam Police Station
Tindivanam Taluk
Villupuram District. ...Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Special Judge for SC/ST (POA) Act (District and Sessions Court) Villupuram to consider the bail application on the same day of their surrender in connection with Crime No.79 of 2018 on the file of the Inspector of Police, Mailam Police Station, Villupuram District.

For Petitioners : Mr.V.Chinnasamy
For Respondent : Mrs.Kritika Kamal.P
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the Special Judge for SC/ST (POA) Act (District and Sessions Court), Villupuram to consider the bail application on the same day of their surrender in connection with Crime No.79 of 2018 on the file of the Inspector of Police, Mailam Police Station, Villupuram District.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 323, 363 and 506(i) of the Indian Penal Code, 1860 and Section 3(1)(r) and 3(1)(s) 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 Special Judge for SC/ST (POA) Act (District and Sessions Court) Villupuram is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.79 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.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

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To

1. The Special Judge for SC/ST (POA) Act
(District and Sessions Court)
Villupuram.

2. The Inspector of Police
Mailam Police Station
Tindivanam Taluk
Villupuram District.

3. The Public Prosecutor
High Court, Madras.

+1 CC to Mr.V. Chinnasamy, Advocate sr 29606.

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KK (CO)
SP (23/04/2018)