

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12333 of 2018

1. Tamilselvan
2. Muthazhagu

... Petitioners

Vs

The State Rep. by its
The Inspector of Police,
Sembanarkoil Police Station,
Nagappattinam District.
Crime No.125 of 2018

...Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Special Court for SC/ST (Prevention of Atrocities) Act (The Principle District and Sessions Judge), Nagapattinam to consider the bail application of the petitioner sympathetically on the very same day in event of his surrender before the concern court in Crime No.125 of 2018 on the file of the Inspector of Police, Sembanarkoil Police Station, Nagappattinam District.

For Petitioners : M/s.Greetha Senthilkumar

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 Court for SC/ST (Prevention of Atrocities) Act (The Principle District and Sessions Judge), Nagapattinam to consider the bail application of the petitioner on the same day in event of his surrender before the concern court in Crime No.125 of 2018 on the file of the Inspector of Police, Sembanarkoil Police Station, Nagappattinam 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, 341, 294 (b), 323 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 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 Court for SC/ST (Prevention of Atrocities) Act (The Principle District and Sessions Judge), Nagapattinam, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.125 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 Principle District and Sessions Judge,
Nagapattinam.
2. The Inspector of Police,
Sembanarkoil Police Station,
Nagappatinam District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Greetha Senthilkumar, Advocate sr.no.31464

Crl.OP.No.12333 of 2018

nr 27/04/2018