

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12382 of 2018

1. Annadurai
2. Chitra
- ... Petitioners

Vs

The Inspector of Police,
Kachirayapalayam Police Station
Villupuram District. ...Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the District Sessions Judge, Villupuram, Special Judge for Prevention of SC/ST Atrocities to accept the surrender of the petitioners in Cr.No.663 of 2017 (on the file of Inspector of Police, Kachirayapalayam Police Station, Villupuram District) and consequently consider the petitioner's bail application on the same day.

For Petitioners : Mr.V.Gunasekar
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 District Sessions Judge, Villupuram, Special Judge for Prevention of SC/ST Atrocities to accept the surrender of the petitioners in Cr.No.663 of 2017 on the file of Inspector of Police, Kachirayapalayam Police Station, Villupuram District and consider the petitioner's bail application on the same day.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Section 498 (A) of the Indian Penal Code, 1860 and Section 3(1)(s) and 3(1)(z) 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 District Sessions Judge, Villupuram, Special Judge for Prevention of SC/ST Atrocities is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.663 of 2017 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

To

1. The District Sessions Judge,
Special Judge for Prevention of SC/ST Atrocities
Villupuram.
2. The Inspector of Police,
Kachirayapalayam Police Station
Villupuram District.
3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.V. Gunasekar, Advocate sr 31029.

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SP(27/04/2018)