

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.13339 of 2018

1.Sivasamy
2.Vijayakumar
3.Rajamani

.. Petitioners

Vs

State rep. by
The Inspector of Police,
Karamadai Police Station,
Mettupalayam Sub Division,
Coimbatore District.
Cr.No.141 of 2018

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District Judge [Special Judge for SC/ST [POA] Act 2014], Coimbatore to accept the surrender of the petitioners in connection with Cr.No.141 of 2018 on the file of the respondent Karamadai Police Station, Coimbatore District on the file of the respondent to consider the bail petition filed by the petitioner on the same day in accordance with law.

For Petitioners : Mr.P.Kalimuthu

For Respondent : Ms.P.Kritika Kamal
Govt. Advocate [CrI. 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 learned Principal District Judge [Special Judge for SC/SC Act], Coimbatore to consider the bail application of the petitioners on the same day on their surrender in Crime No.141 of 2018 pending on the file of the respondent.

2.The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 323 and 506(1) of

IPC r/w Section 3(1)(r) and 3(1)(s) 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 learned Principal District Judge [Special Judge for SC/ST Act], Coimbatore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.141 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 v)

//True Copy//

Sub Assistant Registrar

To

1.The Principal District Court,
Special Court for SC/ST Act,
Coimbatore.

2.The Inspector of Police,
Karamadai Police Station,
Mettupalayam Sub Division,
Coimbatore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Kalimuthu,advocate, sr.34445

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GSP(05/06/2018)