

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.05.2018

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

CRL.O.P.No.14572 of 2018

1. Nantha
2. Vignesh

... Petitioners

Vs

State rep. by
The Inspector of Police,
Thirukovilur Police Station,
Villupuram District,
Crime No.637 of 2017 .. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal Sessions Judge, Villupuram/The Special Court Villupuram, Villupuram District to consider the bail application of the petitioners herein on the everyday of surrender pertaining to the Crime No.637 of 2017 on the file of the Thirukovilur Police Station, Villupuram District.

For Petitioners : Mr.D.Lakshmipathy

For Respondent : Mrs.M.Prabhavathi
Addl. Public Prosecutor

O R D E R

The learned counsel for the petitioners submit that the petitioners have come forward with this petition seeking for a direction to the learned Principal Sessions Judge, Villupuram/The Special Court Villupuram, Villupuram District to consider the bail application of the petitioners on the same day on their surrender in Crime No.637 of 2017 pending on the file of the respondent.

2.The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 324, 506(ii) of IPC @ Sections 294(b), 324, 506(ii) of IPC r/w Sections 3(1)(r)(s), 3(2)(va) of SC&ST [Prevention of Atrocities] Amendment Ordinance

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 Additional Public Prosecutor 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 Sessions Judge, Villupuram/The Special Court Villupuram, Villupuram District is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.637 of 2017 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/Vacation Officer

//True Copy//

Sub Assistant Registrar

To

1.Principal Sessions Judge/Special Court,
Villupuram, Villupuram District.

2.The Inspector of Police,
Thirukovilur Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Lakshmipathy, advocate sr.no.34357

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nr 01/06/2018