

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18697 of 2018

1.Avinash
2.Anantharaj
3.Bharathi

... Petitioners

Vs

The State rep. by
The Sub Inspector of Police
Thiruvankadu Police Station
Nagapattinam.

....Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., seeking a direction to the learned Special Court for the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, at Nagapattinam to consider their bail application on the same day on merits in accordance with law in the event of his surrender of the petitioners in connection with Crime No.289 of 2017 pending on the file of the respondent police.

For Petitioners : Mr.A.Velmuruga
For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the Special Court for the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, at Nagapattinam to consider their bail application on the same day on merits in accordance with law, in the event of surrender of the petitioners in connection with Crime No.289 of 2017 pending on the file of the respondent police.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 294-B, 323 and 506(i) 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 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, the Special Court for the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, at Nagapattinam is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.289 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.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Special Judge,
The Special Court for the Scheduled Castes
and the Scheduled Tribes (Prevention of Atrocities) Act,
Nagapattinam.
2. The Sub Inspector of Police
Thiruvankadu Police Station
Nagapattinam.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.VELMURUGAN, Advocate, S.R.No. 49640

Crl.OP.No.18697 of 2018

SVN(CO)
TR(26/07/2018)