

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.24036 of 2018

1.Dhakshinamoorthy
2.Murali
3.Vasanthi @ Vasanthakumari
4.Chitra
5.Alamelu
6.Sarathambal ... Petitioners

Vs

The State rep. by its
Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District. ... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District and Sessions Judge (Special Court for SC/ST Act), Nagapattinam to consider the bail application to be filed by the petitioners in Crime No.619 of 2018 on the file of the Inspector of Police, Mayiladuthurai Police Station, Nagapattinam District on their surrender on the same day itself, on such terms and conditions.

For Petitioners : M/s.K.M.Vijayan Associates
For Respondent : Mr.C.Raghavan, GA

ORDER

The learned counsel for the petitioners submit that the petitioners have come forward with this petition seeking for a direction to the learned Principal District and Sessions Judge (Special Court for SC/ST Act), Nagapattinam to consider the bail application of the petitioners on the same day on their surrender in Crime No.619 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 147, 148, 294(b), 342, 324, 506(2) and 379 of IPC r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST [POA] 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 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 [POA] Act that the petitioners cannot move any anticipatory bail, the learned Principal District and Sessions Judge (Special Court for SC/ST Act), Nagapattinam is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.619 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 vi)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge,
(Special Court for SC/ST Act), Nagapattinam.

2.The Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.K.M.Vijayan Associates , Advocate SR.No.
69961

ASK(11/10/2018)

CRL.OP.No.24036 of 2018