

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2019

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN
Crl.O.P. No.27257 of 2019

1.Kamaladevi
2.Venkateshan
3.Indra

... Petitioners/Accused 2 to 4

Vs.

State, rep. by
The Inspector of Police,
All Woman Police Station,
Polur,
Thiruvannamalai District... Respondent/Complainant
Crime No.3 of 2019

Prayer:Criminal Original Petition has been filed under Section 482 Cr.P.C., to direct the learned Principal District and Sessions Judge, Thiruvannamalai (Special Court for SC/ST POA Act cases) to consider the bail petition of the petitioners on the same day in the event of surrender by the petitioners and seek bail in Crime No.3 of 2019, pending oin the file of the Inspector of Police, All Women Police station, Polur, Thiruvannamalai District.

For Petitioners : Mr.S.Silambuselvan

For Respondent : Mr.C.Raghavan, Govt. Advocate

ORDER

The petitioners have come forward with this petition for a direction to the Principal District and Sessions Judge, Thiruvannamalai (Special Court for SC/ST POA Act cases), to consider the bail application to be filed by them in connection with Crime No.3 of 2019 on the file of the respondent police, on the same day itself of their surrender.

2.The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 498(A), 494, 506 (i) of IPC r/w.3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 and in view of the specific bar under Section 18 of the said Act, they

cannot move any anticipatory bail application and therefore, the petitioners have come forward with the prayer mentioned supra.

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 and in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Amendment Act, 2015 that the petitioners cannot move any anticipatory bail, the learned Principal District and Sessions Judge, Thiruvannamalai (Special Court for SC/ST POA Act cases), is directed to consider the bail application to be filed by the petitioners in Crime No.3 of 2019 on the file of the respondent police, in the event of their surrender before the Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, after issuing notice to the victims under Section 15(A) of the SC/ST Act, dispose of the same on merits and in accordance with law on the same day.

5.With the above observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

msk

To

1.The Inspector of Police,
All Woman Police Station,
Polur,
Thiruvannamalai District

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Silambuselvan , Advocate SR.No. 85267

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A.SK(10/10/2019)