

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.13136 of 2015

1. J.Balaji
2. A.R.Jagan Mohan

.. Petitioners

Vs.

1. State by  
Deputy Superintendent of Police,  
Vellore 632 004

2. I. Ilangovan

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal Sessions Judge, Vellore to consider the bail application of the petitioners on merits in PRC.No.15 of 2015 on the file of the Judicial Magistrate No.IV Vellore on the same day as their surrender.

For Petitioner :: M/s.T.S.Gopalan & Co

For Respondent-1 :: Mr.C.Emalias  
Additional Public Prosecutor

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 Sessions Judge, Vellore to consider the bail application of the petitioners on merits in PRC.No.15 of 2015 on the file of the learned Judicial Magistrate No.IV, Vellore on the same day on their surrender.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 498A, 420, 294(b) r/w 34 IPC and Section 4 of the Dowry Prohibition Act r/w Section 3(1)(x) of S.C. & S.T. (Prevention of Atrocities) Act 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 first 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 learned Judicial Magistrate No.IV, Vellore is directed to consider the bail application, in the event of the petitioners filing such petition in PRC No.15 of 2015 pending on his file and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Order dated 2.6.2015.

This Petition having been posted on this day of Tuesday, the 16th day of June, 2015 "For Being Mentioned" in pursuance to the order of this court dated 2.6.2015 and in the presence of the above said advocates this court made the following order:

This matter is listed today under the caption "For Being Mentioned" at the instance of the learned counsel for the petitioners.

2. In paragraph 2 of the order of this Court, dated 02.06.2015 in CrI.O.P.No.13136 of 2015, mistakenly it was stated as Sections 498A, 420, 294(b) r/w 34 IPC and Section 4 of the Dowry Prohibition Act r/w Section 3(1)(x) of S.C.& S.T. (Prevention of Atrocities) Act instead of Section 3 (1) (viii) and 3(1)(ix) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and further, in paragraph 4, it was stated as the learned Judicial Magistrate No.IV, Vellore instead of Principal Sessions Judge, Vellore.

3. The Registry is directed to carry out the above said necessary corrections and issue fresh order copy to the petitioners.

4. Two weeks time is granted to comply with the directions issued in order dated 02.06.2015 from the date of receipt of copy of the amended order.

Sd/-

Assistant Registrar(CO)

Dt.18.6.2015

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,  
Vellore, 632 004

2. The Principal Sessions Judge,  
Vellore.

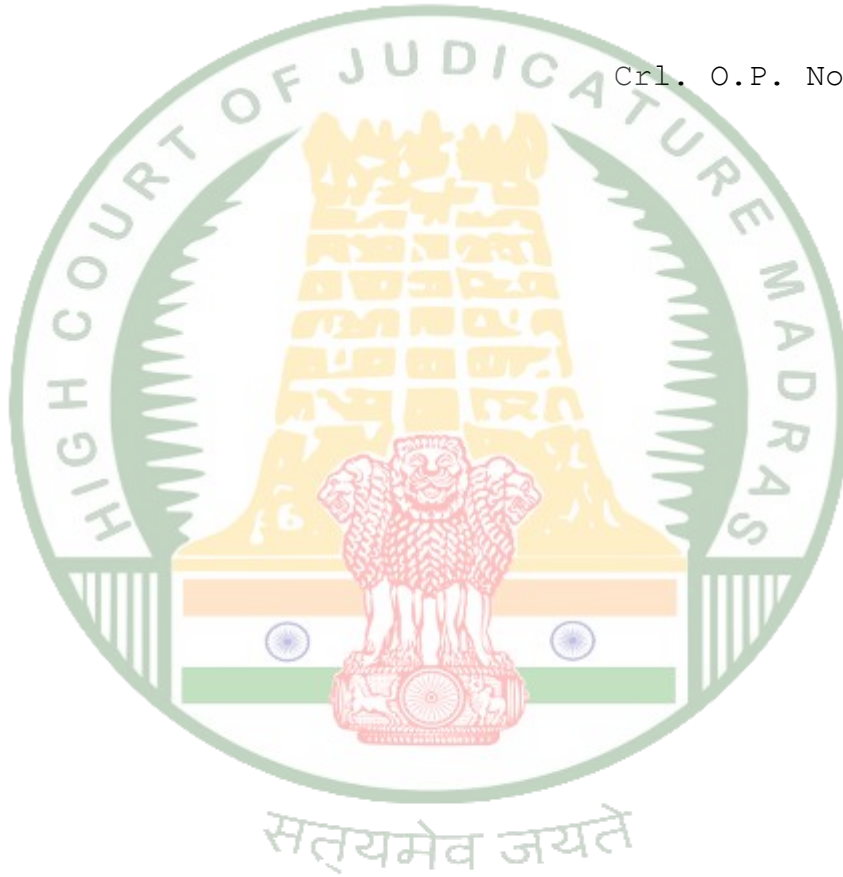
3. The Public Prosecutor,  
High Court, Madras.

4. The Judicial Magistrate No.IV,  
Vellore

+ 1 cc to M/s.T.S.Gopalan & Co, Advocate SR 29282

mp(co)  
prk18/6

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