IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.09.2015

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

CRL.O.P. NO.24438 OF 2015

1.Arul
2.Selvam
3.Barani .. Petitioners

Versus

State rep.by
The Inspector of Police,
Bhanavaram Police Station,
Vellore District. .. Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Principal District Sessions Judge, Vellore to consider the bail application sympathetically and pass orders on merits on the same day on the petitioner surrender in connection with Crime No.234 of 2012 pending before the respondent police.

For Petitioners : Mr.G.Punniyakotti
For Respondent : Mr.M.Mohamed Riyaz
Government Advocate [Crl.Side]

O R D E R

The learned counsel for the petitioners submitted that the petitioners have come forward with this petition seeking for a direction to the learned Principal District Sessions Judge, Vellore to consider the bail application filed by the petitioners in connection with the Crime No.234 of 2012 on the file of the Inspector of Police, Bhanavaram Police Station, Vellore District on their surrender on the same day.

2. The learned counsel for the petitioners also submitted that the petitioners have been implicated in this case for the alleged offences under Sections 147, 341, 294[b], 323 IPC and 3[1][x] SC/ST Act POA 1989. 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. Heard the learned counsel for the petitioners and the learned Government Advocate [Criminal Side] for the respondent.

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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) Act that the petitioners cannot move any anticipatory bail, the learned Principal District Sessions Judge, Vellore, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.234 of 2012 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day, of their surrender.

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

s/d-
Assistant Registrar(AS)

True Copy

Sub-Assistant Registrar

To

1. The Principal District Sessions Judge, Vellore.

2. The Inspector of Police,
   Bhanavaram Police Station,
   Vellore District.

3. The Public Prosecutor,
   High Court of Madras,
   Chennai - 600 104.

+ 1 cc to Mr.G.Punniyakotti, Advocate SR 52693

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