

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.14457 of 2016

1.Gopal
2.Harikumar

... Petitioners

Vs

The State of Tamil Nadu rep by
Inspector of Police,
Pallikonda Police Station,
Vellore District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned District cum Sessions Judge, Vellore to consider the bail application of the petitioners on the same day on their surrender in Crime No.212 of 2016 pending on the file of the respondent.

For Petitioners : Mr.N.Subramani

For Respondent : 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 District cum Sessions Judge, Vellore to consider the bail application of the petitioners on the same day on their surrender in Crime No.212 of 2016 pending on the file of the respondent.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294[b], 323, 324 and 506[ii] IPC, r/w 3[1][A], 3[r]3[1]3[s] of SC&ST [Prevention of Atrocities] Amendment 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 Additional Public Prosecutor 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 [Prevention of Atrocities] Amendment Act, 2015 that the petitioners cannot move any anticipatory bail, the learned District cum Sessions Judge, Vellore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.212 of 2016 on the file of the respondent police and dispose of the same on merits, in accordance with law on the same day.

With the above observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The District cum Sessions Judge,
Vellore.

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

3.The Public Prosecutor,
High Court, Madras.

+ 1 CC o Mr.N.Subramani, advocate SR NO 11227[14/07/16]

MG(CO)
CA(13/07/2016)

CRL.OP.No.14457 of 2016