

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.18518 of 2016

1.Rajesh
2.Kumaresan
3.D.Mani

... Petitioners

Vs

The State rep.by
1.The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.

2.The Inspector of Police,
K.V.Kuppam Police Station,
Vellore District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to direct the learned District-cum-Sessions Judge
(Special Judge for SC/ST Cases), Vellore District, to accept the
surrender of the petitioner and consider their bail petitions on
the same day on merits in Crime No.237 of 2016 on the file of
the 2nd respondent.

For Petitioners : Mr.M.P.Jayaprakash

For Respondents : Mr.C.Emalias, APP

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 (Special
Judge for SC/ST Cases), Vellore District to consider the bail
application of the petitioners on the same day on their
surrender in Crime No.237 of 2016 pending on the file of the 2nd
respondent.

2. The learned counsel for the petitioners also submits that
the petitioners have been implicated in this case for

the alleged offences under Section 147, 148, 294[b], 323, 324 and 506[iii] IPC, r/w Section 3[1][r], 3[1][s] of the SC&ST [POA] Amendment Act, 2014 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 respondents.

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] Act that the petitioners cannot move any anticipatory bail, the learned District-cum-Sessions Judge (Special Judge for SC/ST Cases), Vellore District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.237 of 2016 on the file of the 2nd 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.

gva

s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1.The District-cum-Sessions Judge,
(Spl. Judge for SC/ST Cases),
Vellore District.

2.The Deputy Superintendent of Police,
Gudiyatham, Vellore District.

3.The Inspector of Police,
K.V.Kuppan Police Station,
Vellore District.

4.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M.P.Jayaprakash, Advocate SR 47452

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