

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.09.2016

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.20228 of 2016

Rajesh

... Petitioner

Vs

State Rep by
The Inspector of Police,
Omerabad Police Station,
Vellore District.

.... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal Sessions Judge, Vellore, Vellore District, Spl. Judge for SC/ST [POA] Act, to consider the petitioner's bail application on his surrender in Crime No.151 of 2016 pending on the file of the Inspector of Police, Omerabad Police Station, Vellore District.

For Petitioner : Mr.E.Kannadasan
For Respondent : Mr.C.Emalias, APP

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned Principal Sessions Judge, Vellore District, Spl. Judge for SC/ST [POA] Act, to consider the bail application of the petitioner on the same day on his surrender in Crime No.151 of 2016 pending on the file of the respondent.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Section 147, 148, 294[b], 323, 324 and 506[ii] IPC r/w Section 3[1][r] and 3[1][s] of SC/ST [POA] Act and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has 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 [POA] Act that the petitioner cannot move any anticipatory bail, the learned Principal Sessions Judge, Vellore District, Spl. Judge for SC/ST [POA] Act is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.151 of 2016 on the file of the 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 this observation, this petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Principal Sessions Judge,
Spl. Judge for SC/ST Act, Vellore.

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

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.E.Kannadasan Advocate sr 50453

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