

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20364 of 2016

1.K.Ramesh
2.K.Prabakaran
3.S.M.Kathiravan
4.S.M.Gopinath
5.Kotti @ S.M.Kothandaraman
6.Kosak @ S.M.Kosalaraman ... Petitioners/Accused 1 to 6

Vs

State rep. by
The Inspector of Police,
Vellore Taluk Police Station,
Vellore District. ... Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal Sessions Judge, Vellore, Vellore District Special Judge for SC/ST Prevention of Atrocities Act to consider the petitioners bail application on their surrender in Crime No.22 of 2016 pending on the file of the Inspector of Police, Vellore Taluk Police Station, Vellore District.

For Petitioners : Mr.E.Kannadasan

For Respondent : 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 Principal Sessions Judge, Vellore, Vellore District [Spl. Judge for SC/ST Act Cases] to consider the bail application of the petitioners on the same day on their surrender in Crime No.22 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 294[b], 323 and 506 [i] IPC, r/w Section 3[i][s] of SC/ST [POA] 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 Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Vellore, Vellore District [Spl. Judge for SC/ST Act Cases] is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.22 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 the above observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Principal Sessions Judge,
Vellore,
Vellore District [Spl. Judge for SC/ST Act Cases]

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

3.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.E.Kannadasan, Advocate, sr.50771

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