

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.24593 of 2016

1. Pandian
2. Anbu
3. Alamelu
4. Amaravathi

... Petitioners/Accused 2 to 5

Vs

State by
Inspector of Police,
Kaveripakkam Police Station,
Vellore District.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the District and Sessions Court at Vellore to consider the bail application, filed by the petitioners in Connection with Cr.No.472/2016 on the file of the Inspector of Police Kaveripakkam Police Station, Vellore District on their surrender on the same day.

For petitioners : Mr.S.Sairaman

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the District and Sessions Court, Vellore to consider the bail application, filed by the petitioners in Cr.No.472 of 2016 on the file of the Inspector of Police Kaveripakkam Police Station, Vellore District on their surrender on the same day.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 324 and 506 (ii) of IPC r/w Section 3(1)(r) and 3(1)(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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the Learned District and Sessions Judge, Vellore, Vellore District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.472 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 Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kmi

To

1. The District and Sessions Judge,
Vellore, Vellore District.
2. The Inspector of Police,
Kaveripakkam Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.S.Sairaman, Advocate, S.R.No.64008

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CA(09/11/2016)