

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.24713 of 2016

1. Selvaraj @ Selvarasu

2. Sudhakar

... Petitioners/Accused No.1 & 5

Vs

State rep. by
Inspector of Police
Thimiri Police Station
Vellore District.

...Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal Sessions Judge, (Special Judge for SC/ST (POA) Act), Vellore, Vellore District to consider the petitioner's bail application on their surrender in Crime No.407/2016 pending on the file of the Inspector of Police, Thimiri Police Station, Vellore District.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER सत्यमेव जयते

This Criminal Original Petition has been filed to direct the Learned Principal Sessions Judge, (Special Judge for SC/ST (POA) Act), Vellore, Vellore District to consider the petitioner's bail application on their surrender in Crime No.407/2016 pending on the file of the Inspector of Police, Thimiri Police Station, Vellore District.

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, 324 IPC and 3(1)(i) & 3(2)(va) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act 1989, Amendment 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 Principal Sessions Judge, (Special Judge for SC/ST (POA) Act), Vellore, Vellore District is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.407 of 2016 pending 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 in accordance with law on the same day.

With this observation, this criminal original petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Learned Principal Sessions Judge,
(Special Judge for SC/ST (POA) Act),
Vellore District
2. The Inspector of Police
Thimiri Police Station
Vellore District.
3. The Public Prosecutor, High Court, Madras.

+1cc to Mr.E. Kannadasan, Advocate, S.R.No.64522

md(10/11/2016)

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