

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.25056 of 2016

1. Susilkumar
2. M.Perumal

... Petitioners

Vs

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

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Special Judge, (Principal District and Sessions Judge), Vellore District, to consider the bail application in the case in Crime No.240 of 2016 on the file of the respondent / complainant on their surrender on the same day.

For Petitioners : Mr.R.Muthukumar

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Special Judge, (Principal District and Sessions Judge), Vellore District, to consider the bail application in Crime No.240 of 2016 on the file of the respondent / complainant 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, 294(b) and 323 IPC r/w 3 (1)(x) 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 Special Judge, (Principal District and Sessions Judge), Vellore District, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.240 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(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Special Judge,
(Principal District and Sessions Judge),
Vellore District.
2. The Inspector of Police
Melpatti Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Muthukumar, Advocate, S.R.No.65617

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RSI (CO)
CA(16/11/2016)