

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.25950 of 2016

1. Rajesh
2. Maikesan ... Petitioners/Accused

Vs

1. The Deputy Superintendent of Police
Vellore Taluk, Office at Vellore,
Vellore District.
2. State rep. by
Sub Inspector of Police
Vellore Taluk Police Station,
Vellore. ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned District cum Sessions Judge (Special Judge of SC/ST Cases) Vellore District to accept the surrender of the petitioners and consider their bail petitions on the same day on merits in respect of Crime No.514/2016 on the file of respondents police.

For Petitioners : Mr.P.Ganapathy

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the District cum Sessions Judge (Special Judge of SC/ST Cases) Vellore District to accept the surrender of the petitioners and consider their bail petitions on the same day on merits in respect of Crime No.514/2016 on the file of respondents police.

2. The learned counsel for the petitioners submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b) and 323 of the Indian Penal Code, 1860 r/w Section 3(1)(r), 3(1)(s) and 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, District cum Sessions Judge (Special Judge of SC/ST Cases) Vellore District, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.514 of 2016 pending on the file of the 2nd respondent / police within a period of two weeks from the date of receipt of a copy of this order and consider the same in accordance with law on the same day.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The District cum Sessions Judge
(Special Judge of SC/ST Cases)
Vellore District
2. The Deputy Superintendent of Police
Vellore Taluk, Office at Vellore,
Vellore District.
3. The Sub Inspector of Police
Vellore Taluk Police Station,
Vellore.

4. The Public Prosecutor,
High Court, Madras.

Cr1.OP.No.25950 of 2016

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srg 02/12/2016



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