

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2017

CORAM:

THE HONOURABLE MRS. JUSTICE S.VIMALA

CRL.O.P.No.9534 of 2017

M.Kathirvel

.. Petitioner

Vs.

State represented by
The Inspector of Police
Natrampalli Police Station,
Vellore District.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Principal Sessions Judge, (Special Judge under SC/ST Act), Vellore, Vellore District, to consider the bail application of the petitioner herein, on his surrender, in Crime No.146 of 2017 pending on the file of the respondent police on the same day.

For Petitioner	:	Mr.E.Kannadasan
For Respondent	:	Mr.M.Mohamed Riyaz Government Advocate,(Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principal Sessions Judge, Vellore, Vellore District, to consider the bail application on surrendering and filing of the bail application by the petitioner on the same day in Crime No.146 of 2017 on the file of the respondent.

2. The learned counsel for the petitioner submits that the petitioner has been

implicated in this case for the alleged offences under Sections 147, 148, 294(b), 324 of IPC r/w Section 3 of Public Property (Prevention of Damage and Loss) Act, 1992 and Section 3(1)(i) of the Schedule Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.

3. The learned Government Advocate (Crl. Side) 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 petitioner cannot move any anticipatory bail, the Learned Principal Sessions Judge, Vellore, Vellore District, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.146 of 2017 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.

5. With this observation, this Criminal Original Petition is disposed of accordingly.

24.05.2017

Index :Yes/No

Internet:Yes

gg

Note : Issue order copy on 26.05.2017

To

1.The Principal Sessions Judge, Vellore.

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

3.The Public Prosecutor,
High Court of Madras, Chennai.

S.VIMALA ,J.

gg

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