

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20825 of 2018

Suginkumar

.. Petitioner / Accused

Vs

State rep. by  
Sub Inspector of Police,  
Thimiri Police Station,  
Vellore District.  
(Cr.No. 407 of 2016)

.. Respondent / Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to consider the petitioner bail application on the very same day in the Principal District and Sessions Judge, Vellore in the event of arrest in the hands of Respondent in Cr.No.407 of 2016 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Saranraj

For Respondent : Mr.C.Raghavan, Govt. Advocate

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to to consider the petitioner bail application on the very same day in the Principal District and Sessions Judge, Vellore in the event of arrest in the hands of Respondent in Cr.No.407 of 2016 pending investigation on the file of the respondent police.

2.The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 147, 148 and 324 IPC r/w Sections 3(1)(r) and 3(2)(v-a) of SC/ST [POA] Amendment Act, 2015 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 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 SC/ST [POA] Amendment Act that the petitioner cannot move any anticipatory bail, the learned Principal District Sessions Judge, Vellore is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.407 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 the above observation, this petition is disposed of accordingly.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge,  
Vellore.

2.The Sub Inspector of Police,  
Thimiri Police Station,  
Vellore District.

3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.A.Saranraj, Advocate, S.R.No.58516

CRL.OP.No.20825 of 2018

NRI (CO)

GSP(31/08/2018)

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