

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18479 of 2018

1.Maruthapandian
2.Manikandan
3.Raji
4.Velu
5.Balaraman
6.Karthi
7.Nandhakumar

8. Poochandran @ Poosee Sandar Petitioners

Vs

State rep. by
The Inspector of Police
Veppamkuppam Police Station
Vellore District.

....Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure seeking a direction to the learned Principal District and Sessions Judge, Vellore, Vellore District to consider the petitioners' bail application on their surrender in Crime No.155 of 2011 pending on the file of the Inspector of Police, Veppamkuppam Police Station, Vellore District.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the Principal District and Sessions Judge, Vellore, Vellore District to consider the petitioners' bail application on their surrender in Crime No.155 of 2011 pending on the file of the Inspector of Police, Veppamkuppam 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, 294-B, 323, 324 of the Indian Penal Code, 1860 and Section 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 Government Advocate (Crl. Side) takes notice for the respondent and submitted that the investigation in Crime No.155 of 2011 has not been completed.

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 Principal District and Sessions Judge, Vellore, Vellore District, is directed to consider the bail application, in the event of the petitioners filing such petition in connection with Crime No.151 of 2011 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 consider the same in accordance with law on the same day.

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

mk 23.07.2018

This matter has been posted under Caption for Being Mentioned on this Friday, the third day of August 2018 upon request of Mr.E. Kannadasan, Advocate for the petitioner and in the presence of Mr.C. Raghavan, Government Advocate(Criminal Side) for the respondents, this court made the following order:

At request of the learned counsel for the petitioners, this matter has been posted today under the caption "for being mentioned".

2.Learned counsel for the petitioner brought to the notice of this Court that there are eight petitioners in Crl.O.P.No. 18479 of 2018 and the name of the 8th petitioner Poochandran @ Poosee Sandar has been left out in the order.

3.In view of the above, Registry is directed to issue a fresh order copy including the name of Poochandran @ Poosee Sandar as 8th petitioner.

4.Two weeks time is extended from the date of receipt of the amended copy of the order for complying with the order dated 23.07.2018.

Sd/-

Assistant Registrar(CS IX)

Dated: 24.07.2018

* Order copy amended as per the order of this court dated 03.08.2018.

SD/- Assistant Registrar(CS VII)

Dated: 06.08.2018.

//True Copy//

Sub Assistant Registrar

mk

To

1. The Principal District and Sessions Judge,
Vellore, Vellore District. To be substituted to the
order already despatched
on 25/07/2018.
2. The Inspector of Police
Veppankuppam Police Station,
Vellore District.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.E.Kannadasan, Advocate Sr.53779

CrI.O.P.No.18479 of 2018

srg 24/07/2018

SP(06/08/2018)

सत्यमेव जयते

WEB COPY