

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.18867 of 2018

1.M.Vinod
2.Surendar
Vs
.. Petitioners

The State rep. by
The Inspector of Police,
Namagiripet Police Station,
Namakkal District. .. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to consider the bail application of the petitioners on
the same day itself in the event of their surrender before the
Hon'ble Principal Sessions Judge, Namakkal in respect of the
case in Crime No.220 of 2018 on the file of the respondent.

For Petitioners : Mr.I.C.Vasudevan
For Respondent : Mr.C.Raghavan, Govt. Advocate

O R D E R

The learned counsel for the petitioners submit that the
petitioners have come forward with this petition seeking for a
direction to the learned Principal Sessions Judge, Namakkal to
consider the bail application of the petitioners on the same day
on their surrender in Crime No.220 of 2018 pending on the file
of the respondent.

2.The learned counsel for the petitioners also submit that
the petitioners have been implicated in this case for
the alleged offences under Sections 365, 342, 323, 324 and 506
[ii] IPC r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST
[POA] Amendment Act, 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 takes notice for the
respondent.

4.It is brought to the notice of this Court that though the
name of the petitioner is not in the FIR, he is being implicated
based on the confession statement of the co-accused. It is also

seen that this Court has granted relief to Aruldas [A2] in Crl.O.P.No.13332 of 2018 on 25.05.2018. In such view of the matter 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 petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, Namakkal is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.220 of 2018 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(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Sessions Judge,
Namakkal.

2.The Inspector of Police,
Namagiripet Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.I.C.Vasudevan, Advocate sr.no.51000

nr 30/07/2018

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