

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.18971 of 2018

Moorthy

.. Petitioner

Vs

State rep. by
The Inspector of Police,
Pallikonda Police Station,
Vellore District.
(Cr. No.134 of 2017)

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Principal District Sessions Judge, Vellore to consider the bail application filed in respect of the Cr.No.134 of 2017 on the file of the Inspector of Police, Pallikonda Police Station, Vellore District and same may be disposed on same day on merit.

For Petitioner : Mr.M.Rajendiran

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 the learned Principal District Sessions Judge, Vellore, to consider the bail application of the petitioner on the same day on his surrender in Crime No.134 of 2017 pending on the file of the respondent.

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, 324 and 506[2] IPC r/w Sections 3(1)(r), 3(1)(s) of SC/ST [POA] Amendment Act, 2015 and Section 3 of TNPPDL Act, 1992 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.134 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.

With the above observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Principal District Sessions Judge,
Vellore.

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

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Rajendiran, Advocate sr.no.51072

सत्यमेव जयते

CRL.OP.No.18971 of 2018

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