

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.19527 of 2018

1.Sivakumar
2.Purushothaman
3.Manisekar
4.Govindaraj
5.Thiyagaraj
6.Chinnathambi

.. Petitioners

Vs

The State rep. by
The Inspector of Police,
Gudiyatham Police Station,
Gudiyatham, Vellore District.
(Cr.No. 340/2018)

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Principal Sessions Judge [Spl. Court for Exclusive Trial of Cases registered under the SC/ST Prevention of Atrocities Act, 1989 r/w new amendment Act, 2015 at Vellore to accept the surrender of the petitioners herein connected in Crime No.340 of 2018 on the file of the respondent Police and consider the bail petition on the same day itself.

For Petitioners : Mr.J.Jayaprakasam

For Respondent : Mr.C.Iyyapparaj, APP

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, [Spl. Court for Exclusive Trial of Cases under the SC/ST Act], Vellore to consider the bail application of the petitioners on the same day on their surrender in Crime No.340 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 147, 148, 341, 294[b], 323, 324, 506[2] IPC r/w Section 3(1)(r), 3(1)(s), 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 Additional Public Prosecutor 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] Act that the petitioners cannot move any anticipatory bail, the learned Principal Sessions Judge, [Spl. Court for Exclusive Trial of Cases under the SC/ST Act], Vellore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.340 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 II)

//True copy//

Sub Assistant Registrar

gya

To

1.Principal Sessions Judge,
Spl. Court for SC/ST Act Cases,
Vellore.

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

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.Jayaprakasam, Advocate SR.No.53739

CRL.OP.No.19527 of 2018

GN(09/08/2018)