

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 26.10.2018

CORAM
THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.24221 of 2018

1.Kumar
2.Loganathan

.. Petitioners

Vs

State by
The Inspector of Police,
Kalavai Police Station,
Kalavai, Arcot Taluk,
Vellore District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District Sessions Judge, Vellore to accept the surrender of the petitioners and consider the bail petition on the very same day in Crime No.48 of 2007 on the file of the respondent police.

For Petitioners : Ms.S.P.Arthi

For Respondent : Mr.C.Raghavan, GA (Crl. Side)

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 District and Sessions Judge, Vellore to consider the bail application of the petitioners on the same day on their surrender in Crime No.48 of 2007 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 and 323 of IPC r/w Section 3(1)(x) of SC/ST [POA] Act, 1989 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 and submitted that offences are of the year 2007 and on account of abscondence of the petitioners, the Police have not been able to complete the investigation.

4.Taking into consideration the nature of the allegations in the FIR and considering the submissions of both sides and also, 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 District and Sessions Judge, Vellore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.48 of 2007 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 District and Sessions Judge,
Vellore.

2.The Inspector of Police,
Kalavai Police Station,
Kalavai, Arcot Taluk,
Vellore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Ms.S.P.Arthi, Advocate, S.R.No.73857

CRL.OP.No.24221 of 2018

RSK(CO)

rrs 29/10/2018

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