

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25054 of 2018

1.Ajith, S/o.Elumalai
2.Ajith, S/o.Kumar
3.Vinoth
4.Vijai
5.Karthik
6.Parthipan

.. Petitioners

Vs

State rep. by
The Inspector of Police,
Arambakkam Police Station,
Tiruvallur Taluk.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the District and Sessions Judge, Tiruvallur, Tiruvallur District (Spl. Judge for SC/ST Act cases) to consider the petitioners bail application on the same day of their surrender in connection with Crime No.432 of 2018 on the file of Inspector of Police, Arambakkam Police Station, Tiruvallur District.

For Petitioners : Mr.K.S.Arumugam

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 District and Sessions Judge, (Spl. Judge for SC/ST Act cases), Tiruvallur, Tiruvallur District to consider the bail application of the petitioners on the same day on their surrender in Crime No.432 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, 294(b), 323, 324 and 506(ii) 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.

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 District and Sessions Judge, (Spl. Judge for SC/ST Act cases), Tiruvallur, Tiruvallur District is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.432 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 District and Sessions Judge,
(Spl. Judge for SC/ST Act cases), Tiruvallur,
Tiruvallur District.

2.The Inspector of Police,
Arambakkam Police Station,
Tiruvallur Taluk.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.S.Arumugam, Advocate, S.R.No.73297

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RSK(CO)

rrs 29/10/2018