

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
CRL.O.P.No.25220 of 2018

1.Sivakumar
2.Sambath Kumar
3.Velu

.. Petitioners

Vs

State rep. by
The Inspector of Police,
Tirupathur Taluk Police Station,
Tirupathur, Vellore District.
(Crime No.291 of 2014)

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to pass on order, directing the learned Principal District and Sessions Judge (PCR), at Vellore to consider the bail application on the same day on their surrender and file a bail application in Crime No.291 of 2014 on the file Inspector of Police, Tirupathur Taluk Police Station, Tirupathur, vellore District.

For Petitioners : Mr.G.Vinodh Kumar

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 (PCR), Vellore to consider the bail application of the petitioners on the same day on their surrender in Crime No.291 of 2014 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, 294, 341, 323 and 506 IPC r/w Section 3(1)(r) and 3(1)(s) of SC/ST Act revision of Atrocity Amendment Ordinance 2014 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(Crl.Side) 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 District and Sessions Judge (PCR), Vellore is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.291 of 2014 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 IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge (PCR),
Vellore.

2.The Inspector of Police,
Tirupathur Taluk Police Station,
Tirupathur, Vellore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Vinod Kumar, Advocate, S.R.No.74155

CRL.OP.No.25220 of 2018

rrs 30/10/2018

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