

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.11393 of 2015

E.Prince Pandey

.. Petitioner (Accused)

Vs.

State of Tamil Nadu Rep by
The Inspector of Police,
Perur Police Station,
Perur, Coimbatore District.

.. Respondent (Complainant)

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Hon'ble District and Sessions Court at Coimbatore (Special Court for SC & ST (Prevention of Atrocities) Act to consider and pass favourable orders on the bail application filed by the petitioner on the same day of their surrender before the said Court in connection with Crime No.85/2015 on the file of the respondent police.

For Petitioner :: Mr.A.Thirumaran

For Respondent :: Mr.C.Emalias

Additional Public Prosecutor

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 of the learned District and Sessions Judge at Coimbatore (Special Court for SC & ST (Prevention of Atrocities) Act) to consider and pass favourable orders on the bail application filed by the petitioner on the same day of their surrender before the said Court in connection with Crime No.85/2015 on the file of the respondent police.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 341, 324, 506(ii) IPC and r/w.3(1) (r) and 3(1)(s) and 3(2) (v)(a) of SC/ST Amendment Ordinance Act 2014. 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. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case and in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned District and Sessions Judge at Coimbatore (Special Court for SC & ST (Prevention of Atrocities) Act), is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.85 of 2015 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

5. With the above observation, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jbm/ds
To

1.The Inspector of Police,
Perur Police Station,
Perur, Coimbatore District.

2.The District and Sessions Judge
(Special Court for SC & ST
(Prevention of Atrocities) Act),
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.A.Thirumaran Advocate SR.24428

SSI (CO)
EU 05.04.2015

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