

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.14105 of 2015

T.Palanisamy

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Petitioner

Vs.

1. The Deputy Superintendent of Police
Bhavani Sub Division,
Erode District.

2. The Inspector of Police,
Bhavani Police Station,
Crime No.312 of 2015,
Erode District.

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Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Special Judge for SC & ST Act cases / Principal Sessions Court, Erode to consider the Bail petition to be filed by the petitioner, on his surrender on the same day, on merits in connection with the case in Crime No.312 of 2015 pending investigation on the file of the 1st respondent police.

For Petitioner :: Mr.N.Manokaran

For Respondents :: 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 to direct the Special Judge for SC & ST Act cases / Principal Sessions Court, Erode to consider the Bail petition to be filed by the petitioner, on his surrender on the same day, on merits in connection with the case in Crime No.312 of 2015 pending investigation on the file of the 1st 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), 352, 506(ii) IPC and Sections 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Ordinance, 2014 and that 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. The learned Additional Public Prosecutor takes notice for the respondents.

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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned Special Judge for SC & ST Act cases / Principal Sessions Court, Erode is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.312 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.

With this observation, this petition is disposed of accordingly.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Deputy Superintendent of Police
Bhavani Sub Division,
Erode District.
 2. The Inspector of Police,
Bhavani Police Station,
Crime No.312 of 2015,
Erode District.
 3. The Special Judge for SC & ST Act cases /
Principal Sessions Court, Erode.
 4. The Public Prosecutor,
High Court, Madras.
- + 1 cc to Mr.N.Manokaran, Advocate SR 28171

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