

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.14396 of 2015

Athiyaman

.. Petitioner

Vs.

State rep. By
The Inspector of Police,
Kavuvepilakurichi Police Station,
Cuddalore District.
Respondent

..

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District Sessions Judge, Cuddalore to consider the bail application sympathetically and pass orders on merits on the same day the petitioner surrender in connection with Cr.No.60/2015 pending investigation on the file of the respondent-Police, Cuddalore District.

For Petitioner :: Mr.P.Vijayakumar

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 to the learned Principal District Sessions Judge, Cuddalore to consider the bail application of the petitioner on the same day on his surrender in Crime No.60/2015 pending on the file of the respondent.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 147, 294(b), 323, 506(ii) IPC r/w 3(1)(r)(s), 3(2)(Va) SC/ST of the Prevention of Atrocities, Amendment Ordinance Act 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 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned Principal District and Sessions Judge, Cuddalore is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.60 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(CO)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Kavuvepilakurichi Police Station,
Cuddalore District.
 2. The Principal District and
Sessions Judge, Cuddalore.
 3. The Public Prosecutor,
High Court, Madras.
- + 1 cc to Mr.P.Vijayakumar, Advocate SR 29210

vd(co)
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सत्यमेव जयते

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