

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.16404 of 2015

Kannan

...Petitioner (A3)

Vs.

The Inspector of Police,
Thammampatti Police Station,
Thammampatti,
Salem District.
(Crime No.233 of 2009)

...Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District Judge -cum- Special Judge for SC/ST (Prevention of Atrocities) Act Cases, Salem, Salem District, to consider the bail application of the petitioner on his surrender in SC.No.308 of 2012 on the same day.

For Petitioner : Mr.M.Senthilkumar

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

Seeking for a direction to the learned Principal District Judge -cum- Special Judge for SC/ST (Prevention of Atrocities) Act Cases, Salem, Salem District, to consider the bail application of the petitioner on his surrender in SC.No.308 of 2012 on the same day, the petitioner has come up with this petition.

2.The learned counsel for the petitioner submitted that the petitioner has been implicated in this case for the alleged offences under Sections 147, 148, 352, 294B, 307 and 379 IPC read with 3(1)(r) (s) 3(2)(va) of S.C. & S.T. (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 Judge -cum- Special Judge for SC/ST (Prevention of Atrocities) Act Cases, Salem, Salem District, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.233 of 2009 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.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

mps

To

1.The Principal District Judge -cum-
Special Judge for SC/ST
(Prevention of Atrocities) Act Cases,
Salem, Salem District.

2.The Inspector of Police,
Thammampatti Police Station,
Thammampatti,
Salem District.

3.The Public Prosecutor,
High Court, Chennai.

1 CC to Mr.M.Senthilkumar, Advocate SR.No. 33081

Cr1.O.P.No.16404 of 2015

CNR (CO)
PSI (06.07.2015)