

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.16740 of 2015

K.Devendiran

...Petitioner

Vs.

1.State rep. by,
The Deputy Superintendent of Police,
Tiruvannamalai Region,
Tiruvannamalai Taluk,
Tiruvannamalai District.

2.The Sub-Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
(Crime No.253 of 2015)

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal Sessions Judge, (PCR Court) Tiruvannamalai to consider the bail application on the same day on such terms and conditions concerned in Cr.No.253 of 2015 on the file of the Sub Inspector of Police, Tiruvannamalai Taluk Police Station, Tiruvannamalai District.

For Petitioner : Mr.M.Palanivel

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 Sessions Judge, (PCR Court) Tiruvannamalai to consider the bail application on the same day on such terms and conditions concerned in Cr.No.253 of 2015 on the file of the Sub Inspector of Police, Tiruvannamalai Taluk Police Station, Tiruvannamalai District.

2.It is seen that there are two accused in this case and an offence under Section 307 I.P.C., has been foisted against A.1. As regard this petitioner/A.2 he has been charged for offence under Sections 323 & 324 I.P.C.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that initially, the case was registered in Crime No.253 of 2015 for offence under Sections 294 (b), 323, 324, 307 I.P.C., r/w 3(1)(r)SC/ST Act 1989 Amended Act, 2014.

4.The learned counsel for the petitioner would submit 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.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

6. 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 Principal Sessions Judge, (PCR Court), Tiruvannamalai, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.253 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.

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

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Deputy Superintendent of Police,
Tiruvannamalai Region,
Tiruvannamalai Taluk,
Tiruvannamalai District.

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2.The Sub-Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.

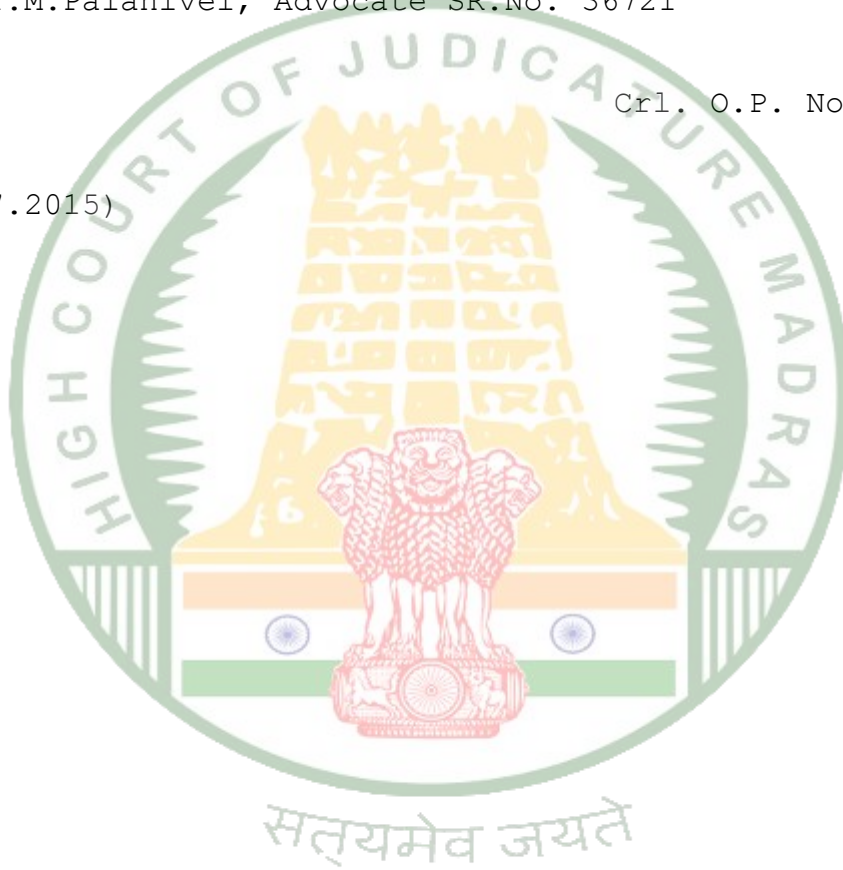
3.The Principal Sessions Judge,
Tiruvannamalai.

4.The Public Prosecutor,
High Court, Madras.

1 CC to Mr.M.Palanivel, Advocate SR.No. 36721

Crl. O.P. No.16740 of 2015

MP (CO)
PSI (21.07.2015)



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