

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.18333 of 2015

Moorthy @ Vellaikannan

... Petitioner/Single Accused

Vs

State by its
Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram,
Kanchipuram District
(Crime No.720 of 2015)

.. Respondent/complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Sessions Judge (Special Judge for SC/ST Act) at Chengalpet, Kanchipuram District to consider the Petitioner's bail application on the same day on their surrender in Crime No.720 of 2015 pending on the file of the Inspector of Police, Kanchi Taluk Police Station, Kanchipuram, Kanchipuram District.

For Petitioner :Mr.K.G.Senthilkumar

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Principal Sessions Judge (Special Judge for SC/ST Act) at Chengalpet, Kanchipuram District to consider the Petitioner's bail application on the same day on their surrender in Crime No.720 of 2015 pending on the file of the Inspector of Police, Kanchi Taluk Police Station, Kanchipuram, Kanchipuram District.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 506(ii) I.P.C r/w Section 3(i)(x) of SC/ST (POA) Act, 1989 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 Sessions Judge (Special Judge for SC/ST Act) at Chengalpet, Kanchipuram District, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.720 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

True Copy

Sub-Assistant Registrar

sms

To

1. Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram,
Kanchipuram District
(Crime No.720 of 2015)

2. The Principal Sessions Judge
(Special Judge for SC/ST Act)
Chengalpet, Kanchipuram District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.K.G.SenthilKumar, Advocate sr.37132/15

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aa03/08/2015