

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.19664 of 2015

Arun

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Petitioner

Vs.

1.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

2.The Inspector of Police,
All Woman Police Station,
Polur, Thiruvannamalai District. ...

Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District and Sessions Judge, (Special Judge of SC & ST Act) Thiruvannamalai to consider the petition for bail on the same day in the event of arrest by the respondent of police in Crime No.13 of 2015 punishable under Section 417 and 506[i] IPC r/w under Section 3[2] and [v] SC & ST Act on the file of the Inspector of Police, All Woman Police Station, Polur, Thiruvannamalai District.

For Petitioner : Mr.S.Jayakumar

For Respondents : Mr.C.Emalias, APP

ORDER

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 and Sessions Judge, Thiruvannamalai to consider the bail application of the petitioner on the same day on his surrender in Crime No.13 of 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 417, 506[i] I.P.C., r/w 3[2][v], 3[2][v] of SC & ST [Prevention of Atrocities] Act 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. On a reading of the FIR, it is seen that the petitioner and the de facto complainant were in love and when they were going by two-wheeler, they met with an accident in which, the de facto complainant was injured. Since the petitioner is refusing to marry the de facto complainant, now this complaint has been filed.

5. 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 SC & ST [Prevention of Atrocities] Act that the petitioner cannot move any anticipatory bail, the learned Principal District and Sessions Judge, Thiruvannamalai is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.13 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.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

- 1.Principal District and Sessions Judge,
Thiruvannamalai.
- 2.The Superintendent of Police,
Thiruvannamalai District, Thiruvannamalai.
- 3.The Inspector of Police,
All Woman Police Station,
Polur, Thiruvannamalai District.
- 4.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s. Jayakumar, Advocate, sr.40135.

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vsn(co),
kra(17/08)