

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.20509 of 2015

Vijayakumar

.. Petitioner

Vs.

State represented by
The Station House Officer
Tindivanam Town Police Station,
Villupuram District.
Crime No.401/2015

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to issue a direction, directing the Principal Sessions Judge at Villupuram to consider his bail application on the same day in connection with in Crime No.401/2015 on the file of respondent herein upon surrender of the petitioner before them.

For Petitioners :: Mr.R.Balakrishnan

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

O R D E R

The learned counsel for the petitioner submit that the petitioner has come forward with this petition seeking for a direction to the learned Principal Sessions Judge, Villupuram to consider the bail application of the petitioner on the same day on his surrender in Crime No.401 of 2015 pending on the file of the respondent.

2. The learned counsel for the petitioner also submit that the petitioner has been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 324 and 307 I.P.C. r/w Section 3(1)(x), 3(2)(V) of Scheduled Caste and Schedule Tribes (Prevention of Atrocities) 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 and submits that since the petitioner has charged also for the offence under Section 307 of IPC, this petition may be dismissed.

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, Villupuram is directed to consider the bail application, in the event of the petitioner surrendering and filing such petition in Crime No.401 of 2015 on the file of the respondent police, and dispose of the same on merits and in accordance with law.

With this observation, this petition is disposed of accordingly.

-Sd/-

Assistant Registrar(cs-II)

//True copy//

Sub Assistant Registrar

vsm

To

1.The Station House Officer
Tindivanam Town Police Station,
Villupuram District.

2.The Principal Sessions Judge, Villupuram

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Balakrishnan,Advocate(sr.42438)

Cr1. O.P. No.20509 of 2015

pur(co)
cp 26.08.2015