

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.20980 of 2015

R.Elumalai

.. Petitioner

Vs

State by
The Inspector of Police,
Vellimedupettai Police Station,
Tindivanam Taluk,
Villupuram District.

.. Respondent

Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure praying to direct the Principal District and Sessions Judge, Villupuram to accept the surrender of the petitioner on the same day to release the petitioner on Anticipatory Bail in connection with crime No.103 of 2014 on the file of the respondent herein.

For Petitioner : Mr.R.Thanjan
For Respondent : Mr.C.Emalias, APP

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 District and Sessions Judge, Villupuram to consider the bail application of the petitioner on the same day on his surrender in Crime No.103 of 2014 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 147, 294[b], 427 IPC, r/w 3[1][r]&[s] 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. 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, Villupuram is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.103 of 2014 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

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To

1.The Principal District and Sessions Judge,
Villupuram.

2.The Inspector of Police,
Vellimedupettai Police Station,
Tindivanam Taluk,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Thanjan Advocate sr.43921

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