

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2015

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

CrI.O.P.No.23163 of 2015

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.. Petitioner

vs.

State rep by

Inspector of Police,

Peranamallur Police Station

Tiruvannamalai District.

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Judicial Magistrate, Cheyyar, to consider the bail application filed by the petitioner in connection with the Crime No.134 of 2015 on the file of the respondent police on the same day of his surrender and pass appropriate orders.

For Petitioner :: Mr.R.Ezhilarasan

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

O R D E R

The petitioner has come forward with this petition seeking for a direction to the learned Judicial Magistrate, Cheyyar, to consider the bail application filed by the petitioner in connection with the case in Crime No.134 of 2015 on the file of the Inspector of Police, Peranamallur Police Station, Tiruvannamalai District, on his surrender on the same day.

2. The learned counsel for the petitioner would submit that the petitioner has been implicated in the case in Cr.No.134 of 2015 for the alleged offences under Sections 147, 294(b), 323 IPC and Section 4 of Tamilnadu Women Harassment Act read with Section 3 (i)(r) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance 2014. 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. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. 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 Scheduled Castes and the

Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance 2014, the petitioner cannot move any anticipatory bail, the learned PDJ Tiruvannamalai is directed to consider the bail application, in the event of the petitioner filing such petition in respect of the case in Crime No.134 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 of his surrender.

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

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

paa

To

1. The Principal District Judge, Tiruvannamalai.
2. The Inspector of Police,
Peranamallur Police Station
Tiruvannamalai District.
3. The Public Prosecutor, Madras.

+1 cc to Mr.R.Ezhilarasan, Advocate, sr.49809

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सत्यमेव जयते

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