

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.23187 of 2015

Dhakshinamurthy

.. Petitioner

Vs.

State by Inspector of Police,
Pudupattinam Police Station,
Nagapattinam District.
(Crime No.371 of 2015)

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned I Addl. District Sessions Judge (PCR), Thanjavur to accept the surrender of the petitioner herein before him concerned in Crime No.371 of 2015 on the file of the Inspector of Police, Pudupattinam Police Station, Nagapattinam District and consider his bail petition on the same day itself.

For Petitioner :: Mr.P.M.Kumaravel

For Respondent :: Mr.C.Emalias

Additional Public Prosecutor

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 I Additional District Sessions Judge (PCR), Thanjavur to consider the bail application of the petitioner on the same day on his surrender in Crime No.371 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 294(b), 448, 332, 427 and 506(ii) IPC read with Section 3(1)(r)3(1)(s) and 3(2) (va) of the S.C. & S.T. Act (Prevention of Atrocities) Amendment Ordinance Act 2014 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 submits that, investigation has been completed and final report in PRC.No.49 of

2015 has been filed before the learned Judicial Magistrate, Sirkali.

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 I Additional District Sessions Judge (PCR), Thanjavur is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No. 371 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

ds

To

1.The I Additional District
Sessions Judge (PCR)
Thanjavur.

2. The Judicial Magistrate,
Sirkali

3. The Chief Judicial Magistrate,
Nagapattinam

4.The Inspector of Police,
Pudupattinam Police Station,
Nagapattinam District.

5.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.P.M.Kumaravel, Advocate vide sr.50395

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