

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.26448 of 2015

P.Kumar

.. Petitioner

Vs.

The State by Inspector of Police,
Vanthavasi All Women Police Station,
Thiruvannamalai District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal Sessions Judge, Thiruvannamalai District to accept the surrender of the petitioner in Crime No.08 of 2015 on the file of All Women Police Station, Vanthavasi, Thiruvannamalai District.

For Petitioner : Mr.E.Sathiyaraj
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 Sessions Judge, Thiruvannamalai to consider the bail application of the petitioner on the same day on his surrender in Crime No.8 of 2015 pending on the file of the respondent.

2. It is seen that initially the case in Crime No.8 of 2015 was registered on 07.10.2015 under Section 376, 506[ii] IPC and later, the police have filed an alteration report on 10.10.2015 before the learned Judicial Magistrate, Vandavasi altering the offences to 376, 506[iii] IPC, r/w 3[1][xii] 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 Sessions Judge, Thiruvannamalai is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.8 of 2015 on the file of the respondent police, and dispose of the same on merits, 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

To

1.Principal Sessions Judge, Thiruvannamalai.

2.The Inspector of Police,
Vanthavasi All Women Police Station,
Thiruvannamalai District.

3.The Public Prosecutor,
High Court, Madras.

+2 ccs to Mr.E.Sathiyaraj Advocate sr.58169 & 59585

सत्यमेव जयते

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