

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.26740 of 2015

Parvatham

...Petitioner

Vs.

The Inspector of Police,
Kangayam Police Station,
Kangayam, Tiruppur District.

....Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Special Judge under SC & ST (P.A) Act, Principal Sessions Judge, Tiruppur to consider the bail application of the petitioner on his surrender in Crime No.631 of 2015 on the file of respondent police on the same day.

For Petitioner : Mr.R.Murugabharathi

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 Principal Sessions Judge, Tiruppur [Spl. Judge for SC & ST Act] to consider the bail application of the petitioner on the same day on his surrender in Crime No.631 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], 323, 506 [ii] IPC, r/w 3[1][x] 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, Tiruppur [Spl. Judge for SC & ST Act] is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.631 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.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. Principal Sessions Judge,
Tiruppur.
[Spl. Judge for SC & ST Act]

2. The Inspector of Police,
Kangayam Police Station,
Kangayam, Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.R.Murugabharathi, Advocate SR.No. 58924

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RSK (CO)
PSI (30.10.2015)