

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.9466 of 2015

P.Kumaresan

... Petitioner

Vs.

State Rep.by
Inspector of Police
Thiruvannainallur Police Station
Villupuram District

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate No.II, Uluthurpet to consider the surrender and bail application of the petitioner on the same day in Cr.No.98/2012 in PRC.No.6/2012 on the file of the respondent.

For Petitioner : Mr.G.Arul Murugan

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

ORDER

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned Judicial Magistrate No.II, Ulunthurpet to consider the bail application of the petitioner on the same day on his surrender in Crime No. 98/2012 in PRC No.6 of 2012 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, 148, 294(b), 323, 324, 341, 506(ii) I.P.C., r/w 3(1)(x) of S.C. & S.T. (POA) Act, 1989 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned Judicial Magistrate No.II, Ulunthurpet is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No. 98/2012 in PRC No.6 of 2012 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ajr

To

1. Judicial Magistrate No.II,
Ulunthurpet
2. Inspector of Police,
Thiruvannainallur Police Station
Villupuram District
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Arul Murugan, Advocate, S.R.No.20754

LRS(CO)
CA(21/04/2015)

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