

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.9977 of 2015

Lekshmanan

.. Petitioner

Vs.

The Inspector of Police,  
Kondalampatti Police Station,  
Salem District.  
(in Crime No.400/2008)

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Special Court for SC & ST Prevention of Atrocities Act Salem to accept the bail application filed by the petitioner and consider the same day on merits in connection with PRC.No.44 of 2009 pending disposal of the trial on the file of Special Court for SC & ST Prevention of Atrocities Act Salem to secure the ends of justice.

For Petitioner :: Mr.R.Sankarasubbu

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 Special Court for SC & ST Prevention of Atrocities Act Salem to consider the bail application of the petitioner on the same day on his surrender in PRC No.44 of 2009 pending on the file of the Special Court for SC & ST Prevention of Atrocities Act Salem

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Section 323 I.P.C., r/w Section 3(1)(X)(X1) of S.C. & S.T. (Prevention of Atrocities) Act and r/w. Section 34 I.P.C. 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 Special Court for SC & ST Prevention of Atrocities Act Salem is directed to consider the bail application, in the event of the petitioner filing such petition in PRC No.44 of 2009 on the file of the Special Court for SC & ST Prevention of Atrocities Act Salem 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

vsm

To

- 1.The Inspector of Police,  
Kondalampatti Police Station,  
Salem District.  
(in Crime No.400/2008)
- 2.The Special Presiding Offficer,  
for SC & ST Prevention of Atrocities Act,  
Salem.
- 3.The Public Prosecutor,  
High Court, Madras.

+ 1 cc to Mr.R.Sankarasubbu, Advocate Sr.21524

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AK(CO)  
EU 08.05.2015