

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.11486 of 2016

Palaniammal

.. Petitioner

Vs.

The State of Tamil Nadu,
through the Assistant Commissioner/
Deputy Superintendent of Police,
Paramathi Police Station,
Namakkal District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Special Court/Principal Sessions Judge, Namakkal to consider the bail application of the petitioner in Crime No.114 of 2016 on the same day.

For Petitioner : Mr.R.U.Deepan
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, Namakkal [Spl. Judge for SC & ST Act] to consider the bail application of the petitioner on the same day on her surrender in Crime No.114 of 2016 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 3[1][i][t] of SC & ST [Prevention of Atrocities] Act, 1989 and 295 IPC 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 Principal Sessions Judge, Namakkal [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.114 of 2016 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.

gya

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Principal Sessions Judge,
Namakkal.

2.The Deputy Superintendent of Police,
Paramathi Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.V.Deepan, Advocate SR 30066

CRL.OP.No.11486 of 2016

सत्यमेव जयते

WEB COPY