

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.11691 of 2016

V.Mohan

...Petitioner/Accused

Vs.

State by

Inspector of Police,

Chennai Central Railway Police Station,

Chennai.

...Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal Sessions Judge, Chennai to entertain, consider and dispose of the Bail Application of the petitioner when he surrender before the said Court in Crime No.133 of 2016 pending on the file of the Inspector of Police, Chennai Central Railway Police, Chennai.

For Petitioner : Mr.K.R.Rameshkumar

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Principal Sessions Judge, Chennai, to consider the petitioner bail application to be filed in Crime No.133 of 2016 on the file of the respondent police on the same day.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 323, 294(b) IPC r/w 3(1) (x) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) 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 Principal Sessions Judge, Chennai, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.133 of 2016 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 criminal original petition is disposed of accordingly.

sms

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Chennai Central Railway Police Station,
Chennai.
2. The Principal Sessions Judge,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.K.R.Rameshkumar, Advocate Sr 30440

KR/9/6/16

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