

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12279 of 2016

Subbaiyan

...

Petitioner/Accused-1

Vs

State rep.by

The Deputy Superintendent of Police,
CBCID,

Perambalur (Crime No.1 of 2015). ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned District and Sessions Judge (Special Judge for SC and ST Act Cases), Perambalur, to consider the bail application of the petitioner and pass orders in Crime No.1 of 2015 on the file of CBCID, Perambalur on the same day of his surrender.

For Petitioner :Mr.M.Shahjahan

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

Seeking for a direction to the learned District and Sessions Judge (Special Judge for SC and ST Act Cases), Perambalur, to consider the bail application of the petitioner and pass orders in Crime No.1 of 2015 on the file of CBCID, Perambalur on the same day of his surrender, the petitioner has come up with this petition.

2.The learned counsel for the petitioner submitted that the petitioner has been implicated in this case for the alleged offences under Sections 174(i), 3(iv) CrPC @ 147, 348, 294(b), 323, 325, 355, 354, 114, 166, 167, 218, 506(i), 306, 201 IPC read with 3(1)(x), 3(i)(xi), 3(2)(1) of SC/ST Act read with 3(2)(m) of SC/ST (POA) Act, 1989, read with 109 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned District and Sessions Judge (Special Judge for SC and ST Act Cases), Perambalur, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.1 of 2015 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.
mps

s/d-
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1.The District and Sessions Judge
(Special Judge for SC and ST Act Cases),
Perambalur.

2.The Deputy Superintendent of Police,
CBCID,
Perambalur.

3.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.Shahjahan, Advocate SR 31842

jv(co)
prk14/6

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