

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP No.12378 of 2016

R.Palanisamy ... Petitioner/Accused

Vs

The StateTamilnadu
through the Assistant Commissioner,
Deputy Superintendent of Police,
Paramathi Police Station,
Namakkal District.
Cr.No.114 of 2016 ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Special Court/Principal Sessions Court, Namakkal to consider the bail application of the petitioner on the same day.

For Petitioner :Mr.R.U.Deepan

For Respondent :Mr.M.Mohamed Riyaz
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the Special Court/Principal Sessions Court, Namakkal to consider the bail application of the petitioner 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 3(1)(i)(t) of the Scheduled Castes and The Scheduled Tribes (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 Government Advocate (Crl.side) 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/Principal Sessions Court, Namakkal, 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 and in accordance with law on the same day.

With this observation, this criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

sms

To

1.The StateTamilnadu
through the Assistant Commissioner,
Deputy Superintendent of Police,
Paramathi Police Station,
Namakkal District.

2.The Public Prosecutor,
High Court, Madras.

3.The Special Court,
Principal Sessions Court
Namakkal.

1 cc to Mr.R.V.Deepan, Advocate, sr.32686

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