

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.12571 of 2016

Shanmugam

... Petitioner

Vs

State Rep. By
Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
(Cr.No.295 of 2016) ... Respondent

PRAYER:Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Principal District and Sessions Judge, Dharmapuri for SC/ST Act, to consider the bail application of the petitioner on the same day in the event of their surrender in connection with Crime No.295 of 2016 on the file of the respondent.

For Petitioner : Mr.M.Premkumar

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge, Dharmapuri for SC/ST Act, to consider the bail application of the petitioner on the same day in the event of their surrender in connection with Crime No.295 of 2016 on the file of the respondent.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 323, 324, 447 IPC r/w 3(1), 3(1)(r), 3(1)(s) SC/ST Act (POA) Amendment Ordinance Act, 2014 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 District and Sessions Judge, Dharmapuri for SC/ST Act, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.295 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 III)

//True Copy//

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
For SC/ST Act Cases,
Dharmapuri.
2. Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Premkumar, Advocate Sr.33248

CrI.O.P.No.12571 of 2016

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srg 17/06/2016