

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.14067 of 2016

L.Senthilkumar @ Senthil

.. Petitioner

Vs.

State rep. by

1.The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.

2.The Superintendent of Police,
Tiruppur District,
Tamilnadu.

.. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Spl. Court constituted under SC/ST [Prevention of Atrocities] Amendment Act 2015 at Tiruppur District to accept the surrender of the petitioner in Crime No.438 of 2016 and consider his bail on the same day after giving notice to the respondent.

For Petitioner : Mr.V.T.Narendiran

For Respondents : Mr.C.Emalias,
Addl.Public Prosecutor

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 Sessions Judge, Special Court for SC/ST Cases, Tiruppur, to consider the bail application of the petitioner on the same day on his surrender in Crime No.438 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 294[b], 506[ii] and 107 I.P.C., r/w Section 3[1][r] of SC & ST [Prevention of Atrocities] Amendment Act 2015 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 respondents.

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] Amendment Act 2015 that the petitioner cannot move any anticipatory bail, the learned Sessions Judge, Special Court for SC/ST Cases, Tiruppur, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.438 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.

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Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Sessions Judge, Spl. Court
for SC & ST Act Cases,
Tiruppur.

2.The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.

3.The Superintendent of Police,
Tiruppur District, Tamilnadu.

4.The Public Prosecutor, High Court, Madras.

+ 2 ccs to Mr.V.T.Narendiran, Advocate Sr 37711 & 37584

KR/6/7/16

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