

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.14239 of 2016

Maria Vasanthy

..Petitioner/Accused
Vs

State rep. by

The Inspector of Police,
Gobi Police sTation,
Gobichettipalayam,
Erode District.

...Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal District Judge, Erode, to decide and dispose of the bail application moved by this petitioner before them on the same date in Crime No.434 of 2016 pending on the file of the respondent police.

For Petitioner : Mr.J.Karthik
For Respondent : Mr.C.Emalias, APP
For Intervenor : Mr.P.Vishnu

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 Principal District Judge, Erode to consider the bail application of the petitioner on the same day on his surrender in Crime No.434 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], 323 and 342 IPC, r/w 3[1][r][s], 3[2][v-a] of SC & ST [Prevention of Atrocities] Act 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. When the matter was called, Mr.P.Vishnu, learned counsel intervened for the de facto complainant. However, liberty is given to the de facto complainant to file an

intervenor application before the designated Court for SC/ST Act cases.

5. 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] Act that the petitioner cannot move any anticipatory bail, the learned Principal District Judge, Erode is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.434 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.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Principal District Judge,
Erode.

2.The Inspector of Police,
Gobi Police Station,
Gobichettipalayam, Erode District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.J. Karthik, Advocate, S.R.No.37897

BVR(CO)
EU(12/07/2016)

CRL.OP.No.14239 of 2016