

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.14812 of 2016

Gomathi

... Petitioner

Vs

State by

The Sub Inspector of Police,
Ariyalur Police Station,
Ariyalur.

(Crime No.415 of 2016)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal Sessions and District Judge, Ariyalur Sub Court for SC/ST (Prevention of Atrocities) Amendment Act, 2015, and to accept the surrender of the petitioner in Crime No.415 of 2016 on the file of the respondent and to consider the bail petition on the same day itself.

For Petitioner : M/s.Usha Ramman

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

ORDER

This criminal original petition has been filed seeking for a direction to direct the learned Principal Sessions and District Judge, Ariyalur for SC/ST (Prevention of Atrocities) Amendment Act, 2015 and to accept the surrender of the petitioner in Crime No.415 of 2016 on the file of the respondent and to consider the bail petition on the same day itself.

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, 354, 379 and 506 (2) r/w 3(1)(r&s) 3(2)(v-a) SC/ST POA Amendment Act, 2015 and The Scheduled Tribes (Prevention of Atrocities) Act, 1989 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 Sessions and District Judge, Ariyalur, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.415 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

sms

To

1.The Principal Sessions and District Judge,
for SC/ST (Prevention of Atrocities)
Amendment Act, Ariyalur.

2.The Sub Inspector of Police,
Ariyalur Police Station,
Ariyalur.

3.The Public Prosecutor,
High Court, Chennai.

+1cc to M/s.Usha Ramman, Advocate, S.R.No.39790

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KGK(CO)
CA(01/08/2016)