

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.17236 of 2016

N.Sankar

... Petitioner

Vs

State of Tamil Nadu rep.by
The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned I Additional District and Sessions Judge (PCR Cases), Thanjavur to accept the surrender of the petitioner and consider the bail petition to be filed by the petitioner on the same day in connection with PRC No.28 of 2015 pending on the file of the learned Judicial Magistrate No.I, Nagapattinam, Nagapattinam District.

For Petitioner :Mr.S.Giritharan

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned I Additional District and Sessions Judge (PCR Cases), Thanjavur, to accept the surrender of the petitioner and to consider the bail petition to be filed by the petitioner on the same day, in connection with PRC No.28 of 2015 pending on the file of the learned Judicial Magistrate No.I, Nagapattinam, Nagapattinam District.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in case in Crime No.120 of 2011 for the alleged offences under Section 417, 493 IPC r/w Section 3(1)(xii) of SC/ST (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. It is seen that this petitioner was earlier arrested in Crime No.120/2011 and thereafter he was released on bail. On the first hearing i.e., on 25.02.2016, this petitioner did not appear before the Committal Court and therefore non-bailable warrant has been issued against him.

4. The learned Additional Public Prosecutor takes notice for the respondent.

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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned I Additional District and Sessions Judge (PCR Cases), Thanjavur, is directed to consider the bail application, in the event of the petitioner filing such petition in connection with PRC No.28 of 2015 pending on the file of the learned Judicial Magistrate No.I, Nagapattinam, Nagapattinam District within a period of two weeks from the date of receipt of a copy of this order, 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 V)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

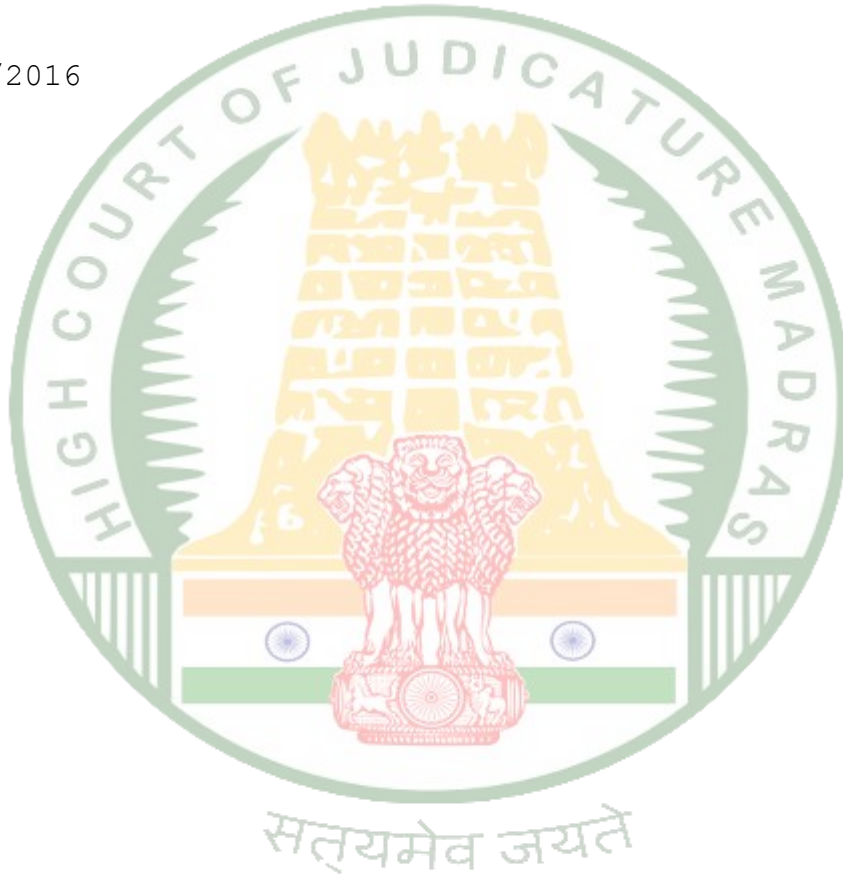
- 1.The I Additional District and Sessions Judge (PCR Cases),
Thanjavur.
- 2.The Judicial Magistrate No.I,
Nagapattinam
Nagapattinam District.
- 3.The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam.

4.The Public Prosecutor,
High Court, Chennai.

+lcc to Mr.S.Giritharan, Advocate Sr.45669

Cr1.OP.No.17236 of 2016

srg 11/08/2016



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