

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.18644 of 2016

Ajjim ... Petitioner/Accused NO.2
Vs

State represented by
The Inspector of Police,
Villupuram West Police Station,
Villupuram District.
(Crime No.270 of 2016) ... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Sessions Judge, Villupuram to consider the petitioner's bail application on the same day on his surrender in connection with Crime No.270 of 2016 on the file of the Inspector of Police, Villupuram West Police Station, Villupuram District.

For Petitioner :Mr.V.Murugesan
For Respondent :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the Principal Sessions Judge, Villupuram, to consider the petitioner's bail application on the same day on his surrender in connection with Crime No.270 of 2016 on the file of the Inspector of Police, Villupuram West Police Station, Villupuram District.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in case in Crime No.270 of 2016 for the alleged offences under Section 294(b), 323, 324, 307 IPC r/w 3(1)(r), 3(1)(s). 3(1)(c) of SC/ST (Prevention of Atrocities) Amendment Ordinance 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. On a reading of the FIR, it is seen that the incident had taken place on 12.06.2016 and the FIR was registered only on 29.07.2016, though the de facto complainant was discharged from the hospital on 18.07.2016.

5. Considering the submissions on 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 Judge, Villupuram, is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.270 of 2016 pending on the file respondent, 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Principal Sessions Judge,
Villupuram.

2.The The Inspector of Police,
Villupuram West Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Chennai.

+1 cc to Mr.V.Murugesan Advocate sr 47386

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