

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18739 of 2016

Balaji

Vs

.. Petitioner

State rep.by
Inspector of Police,
Veeranam Police Station,
Salem District.
Crime No.193 of 2016

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., to pass an order of Direction, directing the Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Salem to consider the bail application on the same day on surrender of the petitioner in Crime No.193 of 2016 on the file of the respondent police.

For Petitioner

:Mr.R.Nalliyappan

For Respondent

:Mr. C.Emalias
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to the Principal Sessions and Special Judge for Prevention of SC & ST Atrocities Act, Salem to consider the bail application on the same day on surrender of the petitioner in Crime No.193 of 2016 on the file of the respondent police.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 147, 148, 323, 324, 307 r/w 3(2)(v), 3(2)(va) SC/ST POA 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 respondent.

4. On a reading of the FIR, the defacto complainant has named three persons and has not mentioned the petitioner. That apart, taking into considering the nature of the allegation in the FIR and the fact that three persons have already been arrested by the police. 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.

5. The Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Salem, is directed to consider, on the petitioner's surrendering before the said Court within a period of two weeks from the date of receipt of a copy of this order, the bail application, in the event of the petitioner's filing such petition in Crime No.193 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.

22.08.2016

sms

Note: Issue order copy on 23.08.2016

P.N.PRAKASH,J.
sms

To

1. Inspector of Police,
Veeranam Police Station,
Salem District.
Crime No.193 of 2016.
- 2.The Principal Sessions Judge
and Special Judge for Prevention
of SC & ST Atrocities Act,
Salem.
3. The Public Prosecutor,
High Court, Madras.

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