

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.19842 of 2016

Venkatachalam

...

Petitioner

Vs

State by its
Inspector of Police
Namakkal Police Station,
Namakkal, Namakkal District.

....

Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Sessions Judge (Special Judge for SC/ST Act) at Namakkal, Namakkal District to consider the Petitioner bail application on the same day on his surrender in crime No.773 of 2016 pending on the file of the Inspector of Police, Namakkal Police Station, Namakkal, Namakkal District.

For Petitioner : Mr.K.G.Senthil Kumar

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Principal Sessions Judge (Special Judge for SC/ST Act) at Namakkal, Namakkal District to consider the Petitioner bail application on the same day on his surrender in crime No.773 of 2016 pending on the file of the Inspector of Police, Namakkal Police Station, Namakkal, Namakkal District.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 363, 342, 323, 506(i) and 379 of I.P.C. r/w Sec.3(1)(s) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act 1989, Amendment 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 and submitted that A1 and A2 have been arrested by the police and A3 is the petitioner herein.

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 Judge, Namakkal, is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.773 of 2016 pending on the file of the respondent police, 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.
mk

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. Inspector of Police
Namakkal Police Station,
Namakkal, Namakkal District.
2. The Learned Principal Sessions Judge,
(Special Judge for ST/ST Act)
Namakkal.
3. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.K.A.Senthil Kumar, Advocate SR 49530

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