

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.20524 of 2016

Ravindran @ Kappu ...Petitioner

Vs

The State rep by its
The Inspector of Police,
Ramanatham,
Cuddalore District. ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., to pass an order of direction, directing the Hon'ble District and Sessions Judge, Cuddalore, Cuddalore District to consider the bail petition of the petitioner on the same day in Crime No. 270 of 2009 on merits.

For Petitioner :Mr.D.Padmanabhan
For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to the District and Sessions Judge, Cuddalore, Cuddalore District to consider the bail petition of the petitioner on the same day in Crime No. 270 of 2009 on merits.

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, 355, 325 & 506 (ii) IPC, & 3(1)(x) SC/ST Act 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. It is seen that this petitioner was already arrested and released on bail in Crime No.270 of 2009 and after completing investigation, the respondent police filed a report before the District Munsif-cum-Judicial Magistrate, Thittakudi and the petitioner was present for the committal proceedings. After the case was committed to the Court of Sessions, the case was numbered as S.C.No.175 of 2014 and the same is pending before the District and Sessions Court, Cuddalore. Thereafter, the petitioner was absconding, on account of which, NBW is pending.

5. The Learned Additional Public prosecutor submitted that out of four accused, two accused have died and one accused is attending the Court. The fact remains that from 2014 till now, the police have not been able to arrest the petitioner.

6. 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.

7. The District and Sessions Judge, Cuddalore, Cuddalore District, 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. 270 of 2009 on the file of the respondent 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/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

sms/rts

To

1.The State rep by its
The Inspector of Police,
Ramanatham,
Cuddalore District.

2. The District and Sessions Judge,
Cuddalore.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr. D. Padmanabhan, Advocate Sr.No.51356

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RK (CO)
MD : 12/09/2016



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