

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.22134 of 2016

A.Marimuthu

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Walajabad Police Station,
Kancheepuram District.

.... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Special Judge under the Schedule Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989, namely the Principal District and Sessions Judge, Kanchipuram at Chengalpet, to consider the bail application of the petitioner on the same day in Cr.No.412/2016 on his surrender before the Court.

For Petitioner : Mr.T.Sathiyamoorthy

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to the Special Judge under the Schedule Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989, namely the Principal District and Sessions Judge, Kanchipuram at Chengalpet, to consider the bail application of the petitioner in Cr.No.412/2016.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 370(III) and 374 of IPC r/w 9 (i) (ii), 16,17,18 of the Bonded Labour System (Abolition) Act 1976, and under 3(1)(vi) 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. The learned Additional Public Prosecutor takes notice for the respondent.

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 Special Judge under the Schedule Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989, namely the Principal District and Sessions Judge, Kanchipuram at Chengalpet is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.412 of 2016 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.

5. With the above observation, this criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Inspector of Police,
Walajabad Police Station,
Kancheepuram District.
2. The Principal District and Sessions Judge,
Kanchipuram at Chengalpet
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Sathiyamoorthy, Advocate, S.R.No.55878

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RP(CO)
CA(30/09/2016)