

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.10.2016
CORAM
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP.No.23021 of 2016

Murugan

... Petitioner

Vs

State by
Inspector of Police
Chozhatharam Police Station
Cuddalore District.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal District Sessions Judge, (Special Court for SC/ST Prevention of Atrocities Act) Cuddalore, Cuddalore District to accept the surrender of the petitioners herein concerned in P.R.C.No.4 of 2015 in Crime No.89 of 2014 on the file of Inspector of Police, Chozhatharam Police Station, Cuddalore District and Consider the bail petition on the same day itself.

For Petitioner : Mr.K.Balu

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Principal District Sessions Judge, (Special Court for SC/ST Prevention of Atrocities Act) Cuddalore, Cuddalore District to accept the surrender of the petitioners herein concerned in P.R.C.No.4 of 2015 in Crime No.89 of 2014 on the file of Inspector of Police, Chozhatharam Police Station, Cuddalore District and Consider the bail petition on the same day itself.

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, 294(b), 323, 324 IPC r/w Sec 3 (1) (r), 3(1)(s) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act 1989, Amendment 2015 and 144 IPC 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 Principal District Sessions Judge, (Special Court for SC/ST Prevention of Atrocities Act) Cuddalore, Cuddalore District is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.89 of 2014 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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

+1 cc to M/s.K.Balu Advocate sr 58328

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