

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP.No.23253 of 2016

Balaji

... Petitioner

Vs

The State rep. by
The Inspector of Police,
Anaikaranchattiram Police Station,
Sirkali, Nagapattinam District. ... Respondent
CR.No.369/2016

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Special Court for the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act at Nagapattinam to consider their bail application on the same day on merits in accordance with law in the event of his surrender of the petitioner in connection with Crime No.369 of 2016 pending on the file of the Respondent.

For Petitioner : Mr.A.Velmurugan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Special Court for the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act at Nagapattinam to consider their bail application on the same day on merits in accordance with law in the event of his surrender of the petitioner in connection with Crime No.369 of 2016 pending on the file of the respondent.

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), 452, 324 & 506(ii) of IPC and 3(1) of TNPPDL Act R/w Section 3(i)(r), 3(i)(s) and 3(ii)5(a) SC's/ST's (POA) Amendment Ordinance 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.

<https://hcservices.courts.gov.in/HCServices/>

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 ***I Additional District & Sessions Judge,**

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

Sd/-
Asst. Registrar.
Dt.21.10.2016

***Corrected order to be issued**
sd/-
Assistant Registrar
Dt.24.11.16

/true copy/

Sub Asst. Registrar.

mk

To

1. The I Additional District & Sessions Judge (PLR) Thanjavur. ***To be Substituted to the order already despatched on 24.10.16**
 2. The Inspector of Police, Anaikaranchattiram Police Station, Sirkali, Nagapattinam District.
 3. The Public Prosecutor, High Court, Madras.
- +1 CC to Mr. A. Velmurugan, Advocate Sr.No.59284

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MD : 21/10/2016
krd 24/11

सत्यमेव जयते

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