

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.23526 of 2016

R.Selvaraj

... Petitioner

Vs

1. The State Rep. by
The Sub Inspector of Police
Kalambur Police Station
Tiruvannamalai District.

2. The Deputy Superintendent of Police
Arni Sub Division
Arni Taluk, Tiruvannamalai District.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal Sessions Judge / The Special Judge under SC/ST (POA) Act, 1989, Tiruvannamalai District to accept the surrender of the Petitioner / Accused No.4 herein in P.R.C.No.29 of 2014 on the file of Learned Judicial Magistrate, Arni, Tiruvannamalai District and consider the bail application of the Petitioner / Accused No.4 herein on the same day on his surrender.

For Petitioner : Mr.M.Kumar

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Principal Sessions Judge / The Special Judge under SC/ST (POA) Act, 1989, Tiruvannamalai District to accept the surrender of the Petitioner / Accused No.4 herein in P.R.C.No.29 of 2014 on the file of Learned Judicial Magistrate, Arni, Tiruvannamalai District and consider the bail application of the Petitioner / Accused No.4 herein on the same day on his surrender.

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) and Section 4 of TWH

Act r/w 3(1)(x) 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 respondents.

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 / The Special Judge, Tiruvannamalai District is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.51 of 2013 pending on the file of the 1st 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.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Learned Principal Sessions Judge, (SC/ST Act)
Tiruvannamalai District.
2. The Sub Inspector of Police
Kalambur Police Station
Tiruvannamalai District.
3. The Deputy Superintendent of Police
Arni Sub Division
Arni Taluk, Tiruvannamalai District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Kumar, Advocate, S.R.No.60521

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