

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.23779 of 2016

S.Yegamparamoorthy ... Petitioner
Vs

State rep. by
The Inspector of Police,
Mohanur Police Station,
Namakkal District. ... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned District and Sessions Judge, Namakkal, the Special Court for SC/ST Act Cases to accept the surrender of the petitioner in Crime No.349 of 2016 on the file of the Mohanur Police Station, Namakkal District, and to consider the bail application on the same day.

For Petitioner : Mr.C.D.Johnson

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, Namakkal, the Special Court for SC/ST Act Cases to accept the surrender of the petitioner in Crime No.349 of 2016 on the file of the Mohanur Police Station, Namakkal District.

2. The learned counsel for the petitioner submits that the petitioner had been implicated in this case for the alleged offences under Sections 294(b), 323, 506 (ii) IPC, 3 (1)(r) and 3(1) (s) of SC/ST (Prevention of Atrocity) Amendment 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.

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 District and Sessions Judge,

Namakkal, the Special Court for SC/ST Act Cases, is directed to consider the bail application, in the event of the petitioner filing such petition in Cr.No.349 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.

With this observation, this Criminal Original Petition is disposed of accordingly.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

1.The District and Sessions Judge,
Namakkal.

2. The Inspector of Police,
Mohanur Police Station,
Namakkal District

3.The Public Prosecutor,
High Court, Chennai.

+1 cc to Mr.C.D.Johnson, advocate,sr.60926.

vs (co)
krd 01/11

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