

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.24552 of 2016

V.Srinivasan ... Petitioner/sole Accused
 Vs

The State rep. by
The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai, Nagapattinam District. ..Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Special Judge under PCR-cum-I Additional Sessions Judge, Thanjavur to consider the petitioner's bail application on the date of surrender along with sureties to enlarge the petitioner in Crime No.218 of 2016 on the file of Inspector of Police, Myladurthurai Railway Police Station, Nagapattinam District.

For Petitioner : Mr.D.Veerasekaran

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the Special Judge under PCR-cum-I Additional Sessions Judge, Thanjavur to consider the petitioner's bail application on the date of surrender along with sureties to enlarge the petitioner in Crime No.218 of 2016 on the file of Inspector of Police, Myladurthurai Railway Police Station, Nagapattinam District.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 506(i) of IPC r/w Section 3(1)(x) of SC/ST (POA) 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 PCR-cum-I Additional Sessions Judge, Thanjavur is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.218 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.

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

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Special Judge under PCR-cum-I Additional Sessions Judge, Thanjavur.
2. The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai, Nagapattinam District.
3. The Public Prosecutor,
High Court, Chennai.

+1 cc to M/s.D.Veerasekaran Advocate sr 18756

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