

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.24705 of 2016

Ganesan @ Bag avathi Ganesan ... Petitioner/Accused

Vs

State rep. by
Inspector of Police
Perambalur Police Station
Perambalur District. ...Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal District and Sessions Judge / Special Judge for Prevention of SC/ST Atrocities Act, Perambalur to accept the surrender of the petitioner in Crime No.994 of 2016 on the file of the respondent and to consider and pass orders on the bail application to be preferred by the petitioner on the same day itself.

For Petitioner : Mr.R.Bharathkumar
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Principal District and Sessions Judge / Special Judge for Prevention of SC/ST Atrocities Act, Perambalur to accept the surrender of the petitioner in Crime No.994 of 2016 on the file of the respondent and to consider and pass orders on the bail application to be preferred by the petitioner 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 294B, 506(i) of the Indian Penal Code, 1860 and 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 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 and Sessions Judge / Special Judge for Prevention of SC/ST Atrocities Act, Perambalur is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.994 of 2016 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 in accordance with law on the same day.

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

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Learned Principal District and Sessions Judge / Special Judge for Prevention of SC/ST Atrocities Act, Perambalur
 2. The Inspector of Police
Perambalur Police Station
Perambalur District.
 3. The Public Prosecutor, High Court, Madras.
- +1 cc to M/s.R.Bharathkumar,advocate,sr.64297.

rsi(co)
krd 10/11

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