

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.25590 of 2016

Ponnandavalasukarar @ Ponnusamy
No.1

... Petitioner/Accused

Vs

State rep. by
Inspector of Police
Chithode Police Station
Erode District.

...Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal District and Sessions Judge, Erode to consider his bail application on the same day on surrender of the petitioner in Crime No.496 of 2016 on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Principal District and Sessions Judge, Erode to consider his bail application on the same day on surrender of the petitioner in Crime No.496 of 2016 on the file of the respondent police.

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), 323, and 324 of the Indian Penal Code, 1860 r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) 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, Principal District and Sessions Judge, Erode is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.496 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 consider the same in accordance with law on the same day.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
Erode.
2. The Inspector of Police
Chithode Police Station
Erode District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.S. Saravanan, Advocate, S.R.No.68974

GJII(CO)
md(28/11/2016)

Cr1.OP.No.25590 of 2016