

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.25689 of 2016

M.Baskaran

... Petitioner/Accused

Vs

State rep. by
Inspector of Police
W-35, All Women Police Station,
Tambaram, Chennai. ... Respondent/Complainant
(Crime No.48 of 2016)

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Special Judge for Schedule Castes & Schedule Tribes (Prevention of Atrocities) Act 1989 cum the Principal Sessions Judge at Chengalpet to consider the bail application on the same day when the petitioners surrender in connection with Crime No.48 of 2016 on the file of the Inspector of Police, W-35, All women Police Station, Tambaram.

For Petitioner : Mr.J.Ganesh

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Special Judge for Schedule Castes & Schedule Tribes (Prevention of Atrocities) Act 1989 cum the Principal Sessions Judge at Chengalpet to consider the bail application on the same day, when the petitioner surrender in connection with Crime No.48 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 417, 376 and 506(i) of the Indian Penal Code, 1860 r/w Section 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 Special Judge for Schedule Castes & Schedule Tribes (Prevention of Atrocities) Act 1989 cum the Principal Sessions Judge at Chengalpet is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.48 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 on merits in accordance with law.

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

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Special Judge for Schedule Castes & Schedule Tribes (Prevention of Atrocities) Act 1989 cum the Principal Sessions Judge, Chengalpet.
2. The Inspector of Police
W-35, All Women Police Station,
Tambaram, Chennai.
3. The Public Prosecutor,
High Court, Madras.

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CA(28/11/2016)