

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **16.04.2018**

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.11163 of 2018

Ramayee

...

Petitioner

Vs

1. The Superintendent of Police,
Namakkal District.

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

...

Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal District and Sessions Judge, Namakkal to consider the bail application on surrendering and filing of the bail application by petitioner on the same day in Cr.No.153 of 2013 on the file of the respondent police in PRC No.5 of 2016, Judicial Magistrate No.II, Namakkal.

For Petitioner :Mr.B.Sundarapandiyan

For Respondents :Mr.C.Raghavan,
Government Advocate (Crl.Side)

ORDER

It is seen that during the investigation, the petitioner was not arrested and therefore, an absconding charge sheet has been filed against the petitioner in P.R.C.No.5 of 2016 before the learned Judicial Magistrate No.II, Namakkal.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 323, 324, 506(ii) of IPC read with 3(1)(x) of the SC/ST (Prevention of Atrocities) Act 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.

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3.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

<http://www.judis.nic.in> bail, the learned Principal District and Sessions Judge,

Namakkal, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.153 of 2013 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

4.After surrendering before the Sessions Court, in the event of the petitioner being released on bail, she should also appear before the learned Judicial Magistrate No.II, Namakkal and take part in the committal proceedings. If the petitioner absconds, a fresh FIR can be registered against the petitioner under Section 229A IPC.

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

सत्यमेव जयते

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16.04.2018

mps

To

1.The Principal District and Sessions Judge,
Namakkal.

P.N.PRAKASH, J,

mps

2.The Judicial Magistrate No.II,
Namakkal.

3.The Superintendent of Police,
Namakkal District.

4.The Inspector of Police,
Senthamangalam Police Station,
Namakkal District.

5.The Public Prosecutor,
Madras High Court,
Chennai.



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