

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12135 of 2018

Abraham Reggie Kurian

... Petitioner/Accused

Vs

The State of Tamil Nadu
through the Assistant Commissioner /
Deputy Superintendent of Police
Kadambarai Police Station
Coimbatore District.

...Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Special Court / Principal Sessions Court, Coimbatore to consider the bail application of the petitioner on the same day in Crime No.14 of 2018 on the file of the respondent.

For Petitioner : Mr.Deepan Uday
For Respondent : Mrs.Kritika Kamal.P
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the Special Court / Principal Sessions Court, Coimbatore to consider the bail application of the petitioner on the same day in Crime No.14 of 2018 on the file of the respondent.

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), 506(ii) of the Indian Penal Code, 1860 and 3(1)(r) and 3(1)(s) 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 Government Advocate (Crl. Side) 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 / Principal Sessions Judge, Coimbatore, is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.14 of 2018 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(CS-iii)

//True Copy//

Sub Assistant Registrar

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To

1. The Special Judge / Principal Sessions Judge,
The Special Court / Principal Sessions Court,
Coimbatore.
2. The Assistant Commissioner / Deputy Superintendent of Police
Kadambarai Police Station
Coimbatore District.
3. The Government Advocate (Crl.Side),
High Court, Madras.

+1cc to Mr.DEEPAN UDAY, Advocate, S.R.No. 30593

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KJ(CO)
TR(26/04/2018)

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