

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.12138 of 2018

Santhosh

... Petitioner/Accused

Vs

The State rep. by its
Inspector of Police
Sathiyamangalam Police Station
Erode District, Erode.

...Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal Session cum District Judge, Erode, (Special Court for Exclusive Trial of cases registered under the SC/ST Prevention of Atrocities Act, 1989 r/w New Amendment Act 2015 at Erode) to accept the surrender of the petitioner herein connected in Crime No.151 of 2018 on the file of the Inspector of Police, Sathiyamangalam, Erode and consider the bail petition on the same day itself.

For Petitioner : Mr.M.Kalaiyarasan

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 learned Principal Session cum District Judge, Erode, (Special Court for Exclusive Trial of cases registered under the SC/ST Prevention of Atrocities Act, 1989 r/w New Amendment Act 2015 at Erode) to accept the surrender of the petitioner herein connected in Crime No.151 of 2018 on the file of the Inspector of Police, Sathiyamangalam, Erode and consider the bail petition 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 143, 294(b), 324 and 506(ii) of the Indian Penal Code, 1860 and 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 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 Principal Session cum District Judge, Erode, (Special Court for Exclusive Trial of cases registered under the SC/ST Prevention of Atrocities Act, 1989 r/w New Amendment Act 2015 at Erode) is directed to consider the bail application, in the event of the petitioner filing such petition in connection with Crime No.151 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 VIII)

//True copy//

Sub Assistant Registrar

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To

1. The learned Principal Session cum District Judge,
(Special Court for Exclusive Trial of cases registered under the SC/ST Prevention of Atrocities Act, 1989 r/w New Amendment Act 2015 at Erode)

2. The Inspector of Police
Sathiyamangalam Police Station
Erode District, Erode.

3. The Government Advocate (Crl.Side),
High Court, Madras.

+1cc to Mr.M.Kalaiyaran, Advocate SR.No.30559

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KJ(CO)

GN(26/04/2018)