

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.17100 of 2018

Babu @ Suresh Babu
.. Petitioner

Vs

State rep. by
The Inspector of Police,
Peranamallur Police Station,
Tiruvannamalai District.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the Principal Sessions Judge, Tiruvannamalai
to consider the bail application in connection with Cr.No.134 of
2015 on the file of the respondent on same day of surrender of
the petitioner.

For Petitioner : Ms.R.Ammu
For Respondent : Mr.C.Raghavan,
Govt. Advocate

O R D E R

The learned counsel for the petitioner submits that the
petitioner has come forward with this petition seeking for a
direction to the learned Principal Sessions Judge,
Tiruvannamalai, to consider the bail application of the
petitioner on the same day on his surrender in Crime No.134 of
2015 pending on the file of the respondent.

2.The learned counsel for the petitioner also submits that
the petitioner has been implicated in this case for
the alleged offences under Section 147, 294(b) and 323 IPC and
Section 4 of Tamilnadu Women Harassment Act r/w Section 3(1)(r)
of SC/ST [Prevention of Atrocities] Amendment Ordinance 2014
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 takes notice for the respondent.

4.Today, Mr.B.Devaraj, HC350, Peranamallur Police Station, Tiruvannamalai District is present before this Court. On instructions, the learned Government Advocate submitted that investigation in Crime No.134 of 2015 has been completed and absconding charge sheet has been filed in PRC.No.6 of 2018 before the learned Judicial Magistrate-II, Cheyyar for the offences under Section 147 and 352 r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST [Prevention of Atrocities] Amendment Ordinance 2014.

5.It is not known as to how, the final report has been filed before the Judicial Magistrate-II, Cheyyar, instead of filing before the concerned Special Court. However, taking into consideration the nature of allegations in the charge sheet and the fact that some of the accused have been arrested and also considering the nature of the prayer in this case, in view of the specific bar under Section 18 of the SC/ST [Prevention of Atrocities] Act that the petitioner cannot move any anticipatory bail, the learned Principal Sessions Judge, Tiruvannamalai, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.134 of 2015 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 dispose of the same on merits and in accordance with law on the same day.

With the above observation, this petition is disposed of accordingly.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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To

1.The Principal Sessions Judge,
Tiruvannamalai.

2.The Judicial Magistrate-II,
Cheyyar.

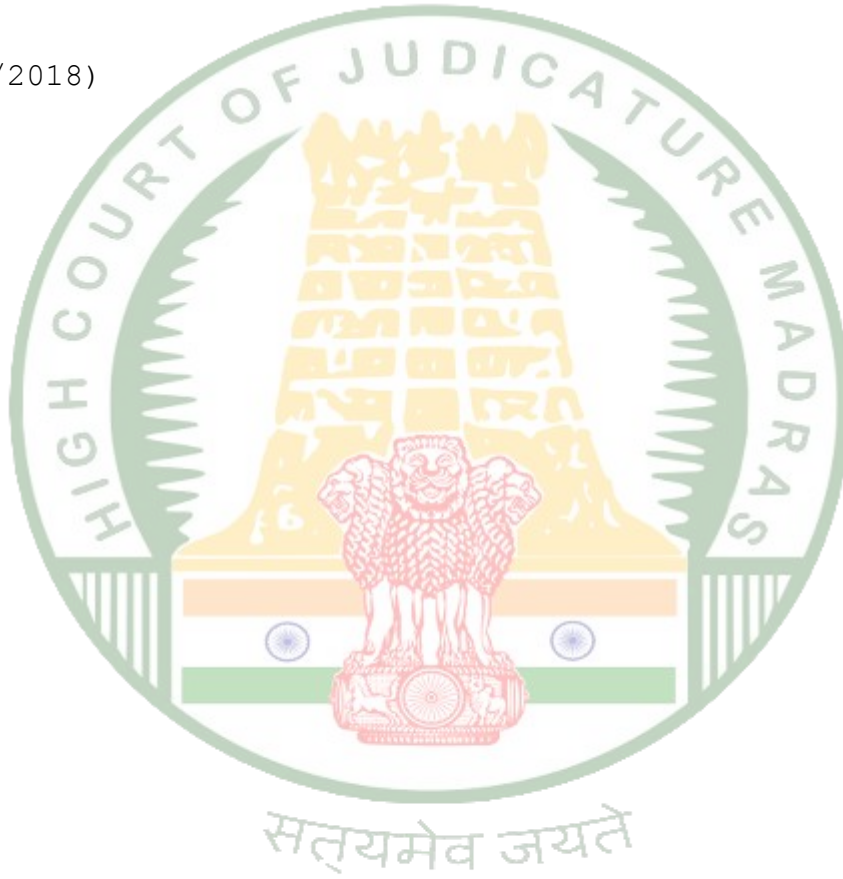
3.The Inspector of Police,
Peranamallur Police Station,
Tiruvannamalai District.

4.The Public Prosecutor,
High Court, Madras.

+1 CC to Ms.R.Ammu, Advocate sr 42991.

CRL.OP.No.17100 of 2018

GSP (05/07/2018)



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