

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.16370 of 2016

S.Sahadevan

... Petitioner

Vs

1.State rep. by its

The Deputy Superintendent of Police,
Ponneri, Thiruvallore District.

2.State rep. by

The Inspector of Police,
E-1, Ponneri Police Station,
Ponneri, Thiruvallore District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal Sessions Judge, Thiruvallore, to consider the petitioner's bail application on surrendering before the Court on the same day in Crime No.118 of 2016 pending investigation on the file of the 2nd respondent.

For Petitioner :Mr.S.Muthukumar

For Respondents :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

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, Thiruvallore, to consider the bail application of the petitioner on the same day on his surrender in Crime No.118 of 2016 pending on the file of the second respondent.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 294[b], 406, 506(i) IPC r/w Section 3[1][x] of SC & ST [P.O.A] Act 1989 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 SC & ST [Prevention of Atrocities] Amendment Act 2015 that the petitioner cannot move any anticipatory bail, the learned Principal Sessions Judge, Thiruvallore, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.118 of 2016 on the file of the second respondent police, and dispose of the same on merits, in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Sessions Judge,
Thiruvallore.
- 2.The Deputy Superintendent of Police,
Ponneri,
Thiruvallore District.
- 3.The Inspector of Police,
E-1, Ponneri Police Station,
Ponneri,
Thiruvallore District.

- 4.The Public Prosecutor,
High Court, Chennai.

+1cc to M/S.S.Muthukumar, Advocate Sr.42937

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srg 01/08/2016