

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.13633 of 2015

Karthick

.. Petitioner

Vs

State rep.by

The Sub-Inspector of Police,
Omalur Police Station,
Salem District.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the District and Sessions Court, Salem(Special Judge for SC & ST Act) to consider the petitioners surrender and pass appropriate orders on the bail application filed by the petitioner on the same day itself in connection with the Crime No.232 of 2015 on the file of the Omalur Police Station, Salem District.

For Petitioners :Mr.T.Ganesan

For Respondent :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 District and Sessions Court, Salem(Special Judge for SC & ST Act) to consider the petitioner surrender and pass appropriate orders on the bail application filed by the petitioner on the same day itself in connection with the Crime No.232 of 2015 on the file of the Omalur Police Station, Salem District.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 147, 294(b), 323, 324 of Indian Penal Code, r/w Section 3(1)(r)(s) and 3(2) (va) of S.C. & S.T Act, (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 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned District and Sessions Judge, Salem is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.232 of 2015 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

- 1.The Sub-Inspector of Police,
Omalar Police Station,
Salem District.
- 2.The Public Prosecutor,
High Court, Madras.
- 3.The District and Sessions Court, Salem
(Special Judge for SC & ST Act)

1 cc to Mr.T.Ganesan, Advocate Sr.No.26789

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pmk.11,6,2015

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