

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.14553 of 2015

D.Rajesh Kannan

... Petitioner

Vs

State by

Inspector of Police,
Edappadi Police Station,
Salem District.

(Crime No.276 of 2015) ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal District Sessions Judge cum Special Judge for SC/St Act cases, Salem to consider the bail application filed by the petitioner in connection with Crime No.276 of 2015 on the file of the Inspector of Police, Edappadi Police Station, Salem District on his surrender on the same day on sympathetic ground

For Petitioner :Mr.M.Selvam

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 a direction to the Principal District Sessions Judge cum Special Judge for SC/St Act cases, Salem to consider the bail application filed by the petitioner in connection with Crime No.276 of 2015 on the file of the Inspector of Police, Edappadi Police Station, Salem District on his surrender on the same day.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 3(1)(q), 3(1)(r), 3(1)(u)(s) of SC/ST Act, (POA) 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 Principal District Sessions Judge cum Special Judge for SC/ST Act cases, Salem, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.276 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

sms/ds

To

1. Inspector of Police,
Edappadi Police Station,
Salem District.
2. The Principal District Sessions Judge
cum Special Judge for SC/St Act cases, Salem
3. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.M.Selvam , Advocate Sr.No.29180

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pmk.18.6.2015

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