

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.14936 of 2015

Dhanasekaran ... Petitioner/Single Accused
Vs
State Rep.by
The Inspector of Police,
Guduvancherry Police Station,
Kancheepuram District.
(in Crime No.534 /2015) Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned District Principal Judge, Chengalpet to consider the Bail application of the petitioner in Crime No.534 of 2015 on the file of Inspector of Police, Guduvancherry Police Station, Kancheepuram District on the very same of his surrender.

For Petitioner :Mr.T.R.Ravi

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

For intervenor : Davind Sunder Singh

ORDER

This Criminal Original Petition has been filed to direct the learned District Principal Judge, Chengalpet to consider the Bail application of the petitioner in Crime No.534 of 2015 on the file of Inspector of Police, Guduvancherry Police Station, Kancheepuram District on the very same of his surrender.

2. The learned Additional Public Prosecutor takes notice for the respondent.

3. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 370(3), 374 I.P.C under Sections 9, 16, 17, 18 Bonded Labour Abolition Act and under Section 3(1) (vi) of S.C./S.T. Prevention of Atrocities 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.

4. Heard the learned counsel appearing for the petitioner,
<https://hcservices.ecourts.gov.in/hcservices/>

learned Additional Public Prosecutor and the learned counsel for intervenor.

5. The learned counsel appearing for the intervenor opposed to grant the relief prayed for.

6. It is seen that the petitioner is running a Rice Mill, in which, 29 people were employed and out of them, the Revenue Officials have identified 17 as bonded labourers. It appears that some of them belong to Dalit community. On that score alone, the relief sought for by this petitioner before this court in the case of this nature cannot be denied to the petitioner.

7. In the facts and circumstances of the case and also considering the nature of the prayer sought for 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 Principal Judge, Chengalpet, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.534 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

To

1. The Inspector of Police,
Guduvancherry Police Station,
Kancheepuram District.
(in Crime No.534 /2015)

2. The learned District Principal Judge,
Chengalpet.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.David Sundar Sigh, Advocate, S.R.No.31420

+1cc to Mr.T.r. Ravi, Advocate, S.R.No.31261

PUR(CO)

EU(10/07/2015)

Cr1.OP.No.14936 of 2015