

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.24752 of 2015

Gurusamy

.. Petitioner/Accused No.3

Vs.

State rep by

The Inspector of Police,
Pu. Puliampatti Police Station,
Erode District.
(Crime No.9 of 2015)

.. Respondent/Complainant.

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal Sessions Judge, Erode to consider the bail application of the petitioner herein in Crime No.9 of 2015 on the file of the respondent police on the same day of surrender.

For Petitioner : Mr.V.P.Sengottuvel
For Respondent : Mr.C.Emalias, APP

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, Erode to consider the bail application of the petitioner on the same day on his surrender in Crime No.9 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 Sections 294[b], 323 IPC r/w 3[1][r][s], 3[1][va] of SC & ST [Prevention of Atrocities] Act 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] Act that the petitioner cannot move any anticipatory bail, the learned

Principal Sessions Judge, Erode is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.9 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.

sms

-s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Principal District and Sessions Judge,
Erode.

2.The Inspector of Police,
Pu. Puliampatti Police Station,
Erode District.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.V.P.Sengottuvel, Advocate SR 53638

km(co)
prk14/10

CRL.OP.No.24752 of 2015

WEB COPY