

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.26392 of 2015

Vignesh Gounder ...Petitioner/Single Accused

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Pollachi, Coimbatore District. ...Respondent/Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal District and Sessions Judge, Coimbatore to consider the petitioner's bail application to be filed in Crime No.17 of 2015 on the file of the respondent police on the same day.

For Petitioner : Mr.C.Ramkumar

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 District and Sessions Judge, Coimbatore to consider the bail application of the petitioner on the same day on his surrender in Crime No.17 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 376, 342, 506[i] IPC r/w 3 [1][w] 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. It is seen that this petitioner is an accused of grave offence namely, 376 IPC and hence, the usual order of directing the Court below to consider the bail application on the same day cannot be granted. 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 District and Sessions Judge, Coimbatore is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.17 of 2015 on the file of the respondent police, and dispose of the same on merits, in accordance with law.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.Principal District and Sessions Judge,
Coimbatore.

2.The Inspector of Police,
All Women Police Station,
Pollachi, Coimbatore District.

3.The Public Prosecutor,
High Court, Madras.

1 CC to Mr.C.Ramkumar, Advocate SR.No. 58228

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PUR (CO)
PSI (28.10.2015)