

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.8663 of 2015

Dr.M.Subramanian

.. Petitioner

Vs.

The State,
Rep. By the Inspector of Police,
P.Puliampatti Police Station,
Erode District.

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned District Sessions Court, Erode to consider the bail petition to be filed by the petitioner on his surrender on the same day, on merits in connection with the case in Crime No.343 of 2014 pending investigation on the file of the respondent police.

For Petitioner :: M/s.AAV.Partners

For Respondent :: Mr.C.Emalias
Additional Public Prosecutor

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 District Sessions Court, Erode to consider the bail petition to be filed by the petitioner on his surrender on the same day, on merits in connection with the case in Crime No.343 of 2014 pending investigation on the file of the respondent police.

2. The learned Additional Public Prosecutor appearing for the respondent would submit that initially, the case was registered in Crime No.343 of 2014 for offence under Section 174 Cr.P.C., and later on, it was altered into one under Sections 3(1)(r)(s) and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Amendments Ordinance, 2014.

3.The learned counsel for the petitioner would submit 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 for the petitioner and the learned Additional Public Prosecutor for the respondent.

5. Considering the submissions of both sides and also considering the nature of the prayer in this case and 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 Sessions Judge, Erode, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.343 of 2014 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

6. With the above observation, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jbm

To

1. The Inspector of Police,
P.Puliampatti Police Station,
Erode District.

2. The District Sessions Judge,
Erode.

3. The Public Prosecutor,
High Court, Madras.

1 cc to M/s.AAV.Partners, Advocate, SR.No.20524

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