

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.OP.No.3363 of 2016

Dhanasekaran

..Petitioner

Vs.

1. State rep.by
The Inspector of Police,
H2, Guduvancherry Police Station,
Kancheepuram District.
(in Crime No.164 of 2016)

2. Parthiban
(Impleaded as per the Order of this
Court Dated 23/02/16 made in
CRL.MP.NO.2143/16 IN CRL.OP.NO.3363/16
BY MKKSJ)

..Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Sessions Judge, Chengalpet (Special Judge of S.C./S.T. Act Cases) to consider the petitioner's bail application on the same day of his surrender in connection with crime No.164 of 2016 on the file of the Inspector of Police H2, Guduvancherry Police Station, Kancheepuram District.

For Petitioner : Mr.K.S.Arumugam

For Intervenor : Mr.David Sunder Singh

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Principal Sessions Judge, Chengalpet (Special Judge of S.C./S.T. Act Cases) to consider the petitioner's bail application on the same day of his surrender in connection with crime No.164 of 2016 on the file of the Inspector of Police H2, Guduvancherry Police Station, Kancheepuram District.

2. The learned counsel appearing for the petitioner submits that the petitioner has been implicated in this case

for the alleged offences under Sections 370(3), 374 IPC r/w. 9, 16, 17,18 of Bonded Labour Abolition Act, 1976 Section 3(1) (vi) of SC/ST Act, 1989 (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. Heard the learned counsel appearing for the petitioner as well as intervenor and the learned Additional Public Prosecutor 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 Sessions Judge, Chengalpet (Special Judge of S.C./S.T. Act Cases), is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.164 of 2016 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.

sms/kal

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
H2, Guduvancherry Police Station,
Kancheepuram District.
(in Crime No.164 of 2016)

2.The Principal Sessions Judge,
(Special Judge of S.C./S.T. Act Cases)
Chengalpet.

3.The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.David Sunder Singh, Advocate Sr 11648

+ 1 cc to Mr.K.S.Arumugam, Advocate Sr 11138

KR/26/2/16

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