

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.OP.No.3965 of 2016

Chella Muthu @ Chella Durai .. Petitioner

Vs.

State rep.by
Inspector of Police,
Attur Police Station,
Salem District. ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal Sessions Judge, Salem, Salem District to consider the petitioner's bail application on his surrender in Crime No.81 of 2016 pending on the file of the Inspector of Police, Attur Police Station, Salem District.

For Petitioner :Mr.E.Kannadasan

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Principal Sessions Judge, Salem, Salem District to consider the petitioner's bail application on his surrender in Crime No.81 of 2016 pending on the file of the Inspector of Police, Attur Police Station, Salem 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 147, 148, 341, 294(b), 323, 324, 506(ii) IPC r/w Section 3(i)(x) of SC/ST (POA) 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.

3. Heard the learned Additional Public Prosecutor appearing 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, Salem, Salem District, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.81 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 accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sms/kal
To

1. The Principal Sessions Judge,
Salem, Salem District
2. The Inspector of Police,
Attur Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.E.Kannadasan Advocate sr.11271

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