

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.15449 of 2016

Sivasakthi @ Chinnathambi

...Petitioner

Vs.

The State of Tamil Nadu

Rep.by The Inspector of Police,

Sooramangalam Police Station,

Salem District.

Crime No.340 of 2016.

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Sessions Judge, Salem to consider the bail application of the petitioner on the same day of his surrender in Cr.No.340 of 2016 on the file of the Sooramangalam Police Station.

For Petitioner :Mr.M.Devaraj

For Respondent :Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Principal Sessions Judge, Salem to consider the bail application of the petitioner on the same day of his surrender in Cr.No.340 of 2016 on the file of the Sooramangalam Police Station.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 323 and 506(1) IPC and 3 (1) (x) of Schedule Caste and Schedule Tribe 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the Learned Principal Sessions Judge, Salem, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.340 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 criminal original petition is disposed of accordingly.

sms

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Principal Sessions Judge, Salem.
2. The Inspector of Police,
Sooramangalam Police Station,
Salem District.
- 3.The Public Prosecutor, High Court, Madras.

KR/4/8/16

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सत्यमेव जयते

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