

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.17448 of 2016

R.Boopathy

.. Petitioner

Vs.

State rep. By
The Sub Inspector of Police,
Malayampalayam Police Station,
Erode District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Hon'ble Principal District Sessions Judge, Erode to consider the petitioner's bail application in accordance with law on the very day of surrendering the petitioner in respect of Cr.No.115 of 2016 pending on the file of the Malayampalayam Police Station.

For Petitioner : Mr.R.Marudhachalamurthy

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 Sessions Judge, Erode to consider the bail application of the petitioner on the same day on his surrender in Crime No.115 of 2016 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 294[b] and 323 IPC, 4 of TNPHW Act r/w 3[1][r], 3[1][s] 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. 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 Sessions Judge, Erode is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.115 of 2016 on the file of the respondent police, and dispose of the same on merits, in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

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

1 cc to M/s.R.Marudhachalamoorthy, Advocate, sr.45480

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