

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.18971 of 2016

Kumareshan

... Petitioner/Accused NO.4

Vs

State rep.by

The Inspector of Police,  
Sendamangalam Police Station,  
Namakkal District.  
(Cr.No.192/16)

... Respondent/complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal District Sessions Judge, Namakkal, to accept the surrender of the petitioner in Crime No.192 of 2016 on the file of the respondent and to consider his bail application on merits on the day itself.

For Petitioner : Mr.S.Parameswaran

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, Namakkal to consider the bail application of the petitioner on the same day on his surrender in Crime No.192 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 Section 147, 341, 294[b], 323, 324 and 506[ii] IPC r/w 3[2][v] of SC&ST [POA] Amendment Act, 2015 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 [POA] Act that the petitioner cannot move any anticipatory bail, the learned Principal District Sessions Judge, Namakkal is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.192 of 2016 on the file of the respondent police within a period of two weeks from the date of receipt of a copy of this order, 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

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To

1.The Principal District Sessions Judge,  
Namakkal.

2.The Inspector of Police,  
Sendamangalam Police Station,  
Namakkal District.

3.The Public Prosecutor,  
High Court, Madras.

+1 cc to Mr.S.Parameswaran Advocate sr 47995

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