

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.19018 of 2016

S.Arul Prakash

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Udumalpet, Tiruppur District.

2.The Inspector of Police,
Udumalpet Police Station,
Udumalpet, Tiruppur District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal Sessions Judge, Tiruppur, to consider the bail application on surrendering and filing of the bail application by the petitioner on the same day in Crime No.539 of 2016 on the file of the 2nd respondent police.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : 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 Sessions Judge, Tiruppur to consider the bail application of the petitioner on the same day on his surrender in Crime No.539 of 2016 pending on the file of the 2nd 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 294[b], 323 and 506 [i] IPC r/w 3[1][r], 3[1][s] and 3[2][v-a] of SC & ST [POA] 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 respondents.

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 Sessions Judge, Tiruppur is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.539 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.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Sessions Judge,
Tiruppur.

2.The Deputy Superintendent of Police,
Udumalpet,
Tiruppur District.

3.The Inspector of Police,
Udumalpet Police Station,
Udumalpet,
Tiruppur District.

4.The Public Prosecutor,
High Court, Madras.

+2cc to M/S.T.Sundaravadanam, Advocate Sr.48064

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srg 26/08/2016