

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.21756 of 2016

B. Deva @ Devaraj

... Petitioner

Vs

1. The Superintendent of Police,
***Salem** District.

2. State by the Inspector of Police,
Kannankurichi Police Station,
***Salem** District.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Principal Sessions Judge, ***Salem** to accept the petitioner's bail application and consider the bail application on the same day in favour of petition in Crime No.394 of 2016 on the file of the respondent police.

For Petitioner :Mr.Karan and Uday

For Respondents :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the Principal Sessions Judge, ***Salem** to accept and consider the petitioner's bail application in Crime No. 394/2016 on the same day itself.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC read with Section 3(2) (v) of the Schedule Castes and The

Schedule Tribes (Prevention of Atrocities) Amendment Ordinance, 2014 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 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.394 of 2016 on the file of the respondent police, within a period of two weeks from the date of receipt of the copy of this order, and dispose of the same on merits and in accordance with law on the same day. ***Two weeks time is extended from the date of receipt of the amended copy of the order for surrender of the petitioner.**

5. With this observation, this criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(V)

*Amended as per order
dated 06/10/2016 made
in CrI.M.P.No.10545 of 2016
in CrI O.P.No.21756 of 2016.

Sd/-
Assistant Registrar(V)
Dated:19/10/2016

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

To

1. The Principal Sessions Judge,
***Salem.**

To be substituted for the
order already despatched
on 28/09/2016

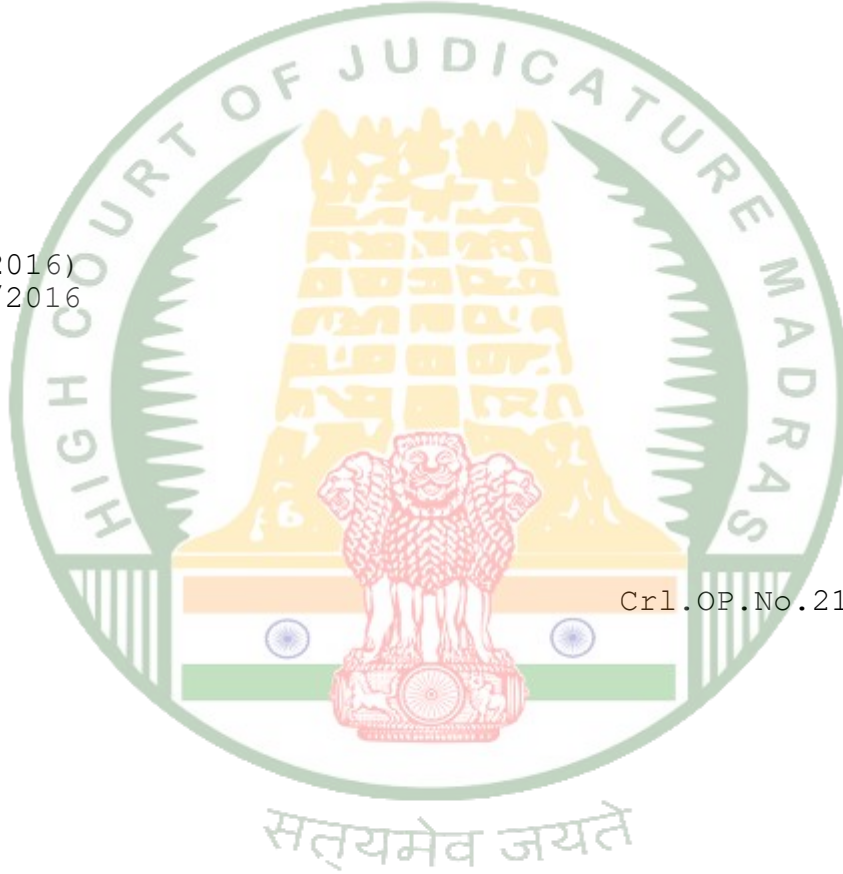
2. The Superintendent of Police,
*Salem District.

3 The Inspector of Police
Kannankurichi Police Station,
*Salem District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to M/s. Karan & Uday, Advocate, S.R.No.*57583

NM(CO)
EU(28/09/2016)
srg 20/10/2016



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