

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.22484 of 2016

K.Gopi ... Petitioner

Vs

State by
The Inspector of Police,
Veeraman Police Station,
Salem District.
(Crime No.248 of 2010) ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal Sessions Judge, Salem to accept the surrender of the petitioner herein and consider the bail petition concerned in Crime No.248 of 2016 on the file of the Inspector of Police, Veeranam Police Station, Salem District on the same day itself.

For Petitioner :Mr.J.Franklin

For Respondent :Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed to direct the the learned Principal Sessions Judge, Salem to accept the surrender of the petitioner herein and consider the bail petition concerned in Crime No.248 of 2016 on the file of the Inspector of Police, Veeranam Police Station, Salem District 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, 307, 323 and 506(ii) IPC r/w Section 3(ii)(v) of SC/ST Amendment Ordinance 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 Government Advocate (Criminal Side) 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.248 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.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To:

- 1.The Inspector of Police,
Veeraman Police Station, Salem District.
 - 2.The Principal Sessions Judge, Salem.
 - 3.The Public Prosecutor, High Court, Madras.
- 1 cc to M/s.J.Franklin, Advocate, sr.57322

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