

THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :12.12.2016

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL

Cr1.O.P.No.26473 of 2016

S.Thirumalaisamy

... Petitioner

Vs.

State Rep. By
The Inspector of Police,
Erode Taluk Police Station,
Erode District.
(Crime No.220 of 2016)

... Respondent

Prayer : Petition filed under Section 482 Cr.P.C. praying to direct the Principal Sessions Judge, Erode to consider the Bail Application of the Petitioner herein in Crime No.220 of 2016 on the file of the Respondent Police, on the same day of surrender.

For Petitioner : No appearance

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

Mr.C.Emalias, Learned Additional Public Prosecutor takes notice for the Respondent.

2.According to the Petitioner, a case was registered under Sections 147, 323, 294(b), 506(1) & 342 I.P.C. r/w. Section 3(1) (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989.

3.It is averred in the Petition that the Petitioner would surrender before the Learned Principal Sessions Judge, Erode and seek an order of bail under Section 439 Cr.P.C.

4.It is to be noted that the relief of 'Anticipatory Bail' is not maintainable under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989.

5.Considering the limited relief sought for by the Petitioner in the present Petition viz., passing of an Order in directing the Learned Principal Sessions Judge, Erode to consider his bail application in Crime No.220 of 2016 on the file of the Respondent Police, this Court, to prevent an aberration of Justice and to promote substantial cause of Justice, directs the Learned Principal Sessions Judge, Erode to consider the bail application of the Petitioner in Crime No.220 of 2016 preferably on the same day (of course, after issuing notice to the Respondent/Prosecuting Agency) and to pass necessary orders on merits and in the manner known to Law and in accordance with Law.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

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

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SDR 29.12.2016

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