

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2017

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CrI.OP.No.4470 of 2017

1. Ramasamy
2. Ravikumar ... Petitioners/Accused

Versus
State represented by
Inspector of Police,
Thalaivasal Police Station,
Salem District. ... Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal Sessions Judge, Salem to consider the petitioners bail application on their surrender in Crime No.41 of 2017 pending on the file of the Inspector of Police, Thalaivasal Police Station, Salem District.

For Petitioners :Mr.E.Kannadasan
For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Principal Sessions Judge, Salem to consider the petitioners bail application on their surrender in Crime No.41 of 2017 pending on the file of the Inspector of Police, Thalaivasal Police Station, Salem District.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 323, 506 (1), IPC 3(1) (r) and 3 (1) (s) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) 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 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.41 of 2017 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Thalaivasal Police Station,
Salem District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R. Kannadasan, Advocate, S.R.No.14373

nmi (CO)
md(07/03/2017)

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