

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.19346 of 2016

Sivakarthikeyan

... Petitioner

Vs

The Inspector of Police,
Voimedu Police Station,
Voimedu, Vedaranyam Taluk,
Nagapattinam District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned I Additional Sessions Judge under SC&ST [P.A] Act, Thanjavur to consider the bail application of the petitioner on his surrender in Crime No.167 of 2016 on the file of the respondent Police on the same day.

For Petitioner : Mr.R.Murugabharathi
For Respondent : 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 I Additional Sessions Judge under SC&ST [POA] Act, Thanjavur to consider the bail application of the petitioner on the same day on his surrender in Crime No.167 of 2016 pending on the file of the 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, 355 and 506[i] IPC r/w Section 3[1][x] 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 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 SC & ST [POA] Act that the petitioner cannot move any anticipatory bail, the learned I Additional Sessions Judge under SC&ST [POA] Act, Thanjavur is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.167 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The I Addl. Sessions Judge under SC&ST [POA] Act,
Thanjavur.

2.The Inspector of Police,
Voimedu Police Station,
Voimedu, Vedaranyam Taluk,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Muruga Bharathi Advocate sr 48554 dt:31/08/2016

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