

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.19381 of 2016

Kumar

... Petitioner/Accused No.2

Vs

State Rep by
The Inspector of Police,
Kiliyanoor Police Station,
Villupuram District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Sessions Judge, Spl. Court for SC/ST [POA] Act, Villupuram District to consider the petitioner's bail application on the very same day on his surrender before the Court in connection with Crime No.269 of 2013 on the file of the respondent Police.

For Petitioner : Mr.M.Machavatharan

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 Sessions Judge, Spl. Court for SC/ST [POA] Act, Villupuram District to consider the bail application of the petitioner on the same day on his surrender in Crime No.269 of 2013 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 341 and 294[b] IPC r/w Section 3[1][xi] 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 Sessions Judge, Spl. Court for SC/ST [POA] Act, Villupuram District is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.269 of 2013 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.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Sessions Judge,
Spl. Court for SC/ST [POA] Act,
Villupuram District.
- 2.The Inspector of Police,
Kiliyanoor Police Station,
Villupuram District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Machavatharan, Advocate Sr.48810

CRL.OP.No.19381 of 2016

bur[col]
srg 30/08/2016

WEB COPY