

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.24604 of 2016

Selvam Petitioner/Accused-3

Vs

State rep. by Inspector of Police,
Kanjapur Police Station,
Villupuream District. Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned First Additional Sessions Judge (Special Judge for SC/ST Act) POA at Villupuram to consider the bail application of the petitioner to be filed before the said court on the same day on his surrender in S.C.No.75/2016.

For Petitioner : Mr.K.V.T.Kannan

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the First Additional Sessions Judge (Special Judge for SC/ST Act) POA, Villupuram to consider the petitioner's bail application to be filed before the court on the same day on his surrender in S.C.No.75/2016.

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, 294(b), 323, 324 and 379 of IPC r/w Section 3(1)(x) of SC/ST (POA) Act, 1989 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 First Additional Sessions Judge (Special Judge for SC/ST Act), POA, Villupuram is directed to consider the bail application, in the event of the petitioner filing such petition in S.C.No.75 of 2016 on the file of the I Additional Sessions Judge (Special Judge for SC/ST Act), POA Act, Villupuram, 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 Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kmi
To

1. The First Additional Sessions Judge,
(Special Judge for SC/ST Act), POA,
Villupuram.
2. The Inspector of Police,
Kanjapur Police Station,
Villupuream District.
3. The Public Prosecutor,
High Court, Chennai.

+!cc to Mr.J.Ramesh, Advocate Sr.64244

Cr1.OP.No.24604 of 2016

gj ii[co]
srg 10/11/2016