

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20050 of 2018

Shanmugam @ Shanmugasundaram

.. Petitioner

Vs

State rep. by
The Sub Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.
(Crime No.47 of 2018)

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the District & Sessions Court, Thiruvallur
[Spl. Judge for SC&ST Act] to consider his surrender and pass
appropriate orders on the bail application filed by the
petitioner on the same day in connection with Crime No.47 of
2018 on the file of the respondent Police.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mr.C.Raghavan, Govt. Advocate

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 District and Sessions Judge, Spl. Judge
for SC/ST Act, Thiruvallur to consider the bail application of
the petitioner on the same day on his surrender in Crime No.47
of 2018 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 Sections 147, 341, 354[B], 354[D]
and 323 IPC r/w Sections 3(1)(iii) and 3(2)(v) 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 Government Advocate 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 District and Sessions Judge, Spl. Judge for SC/ST Act, Thiruvallur is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.47 of 2018 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 the above observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The District and Sessions Judge,
Spl. Judge for SC/ST Act, Thiruvallur

2.The Sub Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Sasikumar, Advocate sr.no.56014

CRL.OP.No.20050 of 2018

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nr 16/08/2018