

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20818 of 2018

Kangatharan

.. Petitioner

Vs

State rep. by
The Inspector of Police,
Gomangalam Police Station,
Coimbatore District.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the District and Sessions Judge, Spl. Judge for SC/SCT Act, Coimbatore to accept the surrender of the petitioner herein concerned in Cr.No.142 of 2018 on the file of the respondent Police and consider his bail application on the same day itself.

For Petitioner : Mr.M.N.Balakrishnan
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/SCT Act, Coimbatore, to consider the bail application of the petitioner on the same day on his surrender in Crime No.142 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 Section 174 Cr.P.C @ 448, 294(b), 506[i] and 306 IPC r/w Section 3(1)(r), 3(1)(s), 3(2)(v) and 3(2)(v-a) of SC/ST [POA] 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 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] Amendment Act that the petitioner cannot move any anticipatory bail, the learned District and Sessions Judge, Spl. Judge for SC/SCT Act, Coimbatore is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.142 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 VII)

//True Copy//

Sub Assistant Registrar

To

1.District and Sessions Judge,
Spl. Judge for SC/SCT Act, Coimbatore.

2.The Inspector of Police,
Gomangalam Police Station,
Coimbatore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to MrM.N.Balakrishnan, Advocate, S.R.No.59709

EV(CO)
GSP(30/08/2018)

CRL.OP.No.20818 of 2018

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