

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20845 of 2018

Tamilmani

.. Petitioner

Vs

State rep. by
Inspector of Police,
Kariapattinam Police Station,
Kariapattinam,
Nagapattinam District.
(Crime No.77 of 2018)

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to pass an order of direction, directing the Learned District and Sessions Judge, Nagapattinam, to accept the surrender of the petitioner herein and consider the Bail Petition of the petitioner in crime No.77 of 2018 on the file of the respondent police viz. Inspector of Police, Kariapattinam Police Station, Nagapattinam District on the same day itself enlarge the petitioners on bail.

For Petitioner : Mr.K.M.Subramaniam

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 to consider the petitioner bail application on the very same day in the Learned District and Sessions Judge, Nagapattinam in the event of arrest in the hands of Respondent in Cr.No.77 of 2018 pending investigation on the file of the respondent police.

2.The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 324, 506 (2) IPC r/w Section 3(1)(r), 3(1)(s) 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, Nagapattinam is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.77 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 II)

//True copy//

Sub Assistant Registrar

dua/gya

To

1.Principal District and Sessions Judge,
Nagapattinam.

2.Inspector of Police,
Kariapattinam Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.M.SUBRAMANIAM, Advocate, S.R.No. 58553

CRL.OP.No.20845 of 2018

NA(CO)
GN(29/08/2018)