

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.21464 of 2018

Muthukumar

..
Petitioner/Accused

Vs

State rep. by
The Inspector of Police,
Negamam Police Station,
Coimbatore District.
(Crime No.239 of 2018)

.. Respondent/Complainant

Prayer:

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the Principal District and Sessions Judge,
Coimbatore for SC/ST Act to consider the bail application of the
petitioner on the same day in the event of his surrender in
connection with Crime No.239 of 2018 on the file of the
respondent.

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 Principal District and Sessions Judge,
Coimbatore to consider the bail application of the petitioner on
the same day on his surrender in Crime No.239 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 294(b) IPC r/w Sections 3
(1)(r) and 3(1)(s) 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 Principal District and Sessions Judge, Coimbatore is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.239 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 VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge,
Coimbatore.

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

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.N.Balakrishnan, Advocate sr.no.61396

CRL.OP.No.21464 of 2018

mr(co)
nr 05/09/2018

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