

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.05.2018

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

CRL.O.P.No.14416 of 2018

Soundararajan ... Petitioner/Accused
Vs

State rep. by
The Inspector of Police,
Arachalur Police Station,
Erode District,
Crime No.78/2018 ... Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District and Sessions Judge, Erode to consider his bail application on the same day on the surrender of this petitioner in Cr.No.78 of 2018 on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mrs.M.Prabhavathi
Addl. Public Prosecutor

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, Erode to consider the bail application of the petitioner on the same day on his surrender in Crime No.78 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 279, 337 and 506(i) of IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) 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 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 SC & ST [Prevention of Atrocities] Act that the petitioner cannot move any anticipatory bail, the learned Principal District and Sessions Judge, Erode is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.78 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

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge,
Erode.

2.The Inspector of Police,
Arachalur Police Station,
Erode District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.S.Saravanan, Advocate sr.no.34298

CRL.OP.No.14416 of 2018

nr 01/06/2018