

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 08.06.2018
CORAM
THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
CRL.O.P.No.15076 of 2018

Sudhakar

.. Petitioner/Accused No 4

Vs

State rep. by
The Inspector of Police,
Thalainayiru Police Station,
Thalainayiru,
Nagapattinam District
(Crime No.44 of 2018).

.. Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District Sessions Judge, Nagapattinam to consider the bail petition filed by the petitioner in respect of the Crime No.44 of 2018 on the file of the respondent police and pass an order on merit on the same day.

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 the learned Principal District Sessions Judge, Nagapattinam, to consider the bail application of the petitioner on the same day on his surrender in Crime No.44 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 147,148,294(b),324 and 506 [ii] of IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(v-a) of SC/ST [Prevention of Atrocities] 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 [Prevention of Atrocities] Act that the petitioner cannot move any anticipatory bail, the learned Principal District Sessions Judge, Nagapattinam is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.44 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(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Principal District Sessions Judge,
Nagapattinam.

2.The Inspector of Police,
Thalainayiru Police Station,
Thalainayiru, Nagapattinam District.

3.The Public Prosecutor
High Court Madras

+1 cc to Mr.K.M.Subramaniam Advocate sr 35653

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