

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.16166 of 2018

Dharmaraj

.. Petitioner

Vs

State rep. by

The Inspector of Police,
Anaikaranchathiram Police Station,
Nagapattinam District
(Crime No.288 of 2017).

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the District and Sessions Judge, Nagapattinam to consider the bail application of the petitioner concerned in Crime No.288 of 2017, on the file of the Inspector of Police, Anaikaranchathiram Police Station, Nagapattinam District on his surrender on the same day on such terms and conditions.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.C.Raghavan, Govt. Advocate

O R D E R

This Criminal Original Petition has been filed seeking a direction to the District and Sessions Judge, Nagapattinam to consider the bail application of the petitioner in Crime No.288 of 2017, on the file of the Inspector of Police, Anaikaranchathiram Police Station, Nagapattinam District, on his surrender on the same day.

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, 341, 294 (b), 323, 324 and 506[ii] of IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) 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 District and Sessions Judge, Nagapattinam is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.288 of 2017 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 V)

//True copy//

Sub Assistant Registrar

gmd/mk

To

1.The District and Sessions Judge, Nagapattinam.

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

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prabakaran, Advocate SR.No.39738

CRL.OP.No.16166 of 2018

SSI(CO)
GN(25/06/2018)

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