

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.16537 of 2018

Ramesh

.. Petitioner/Accused No.6

Vs

State rep. by
The Inspector of Police,
Vazhapadi Police Station,
Salem District.
(Crime No.151 of 2018).

.. Respondent/Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Principal Sessions Judge, Salem [Special Judge for SC/ST Act Cases] Salem to consider bail petition filed by the petitioner in Crime No.151 of 2018 on the file of Vazhapadi Police Station, Salem District, on the same day on his surrender.

For Petitioner : Mr.B.Vasudevan

For Respondent : Ms.P.Kritika Kamal,
GA [Crl. Side]

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 Sessions Judge [Special Judge for SC/ST Act Cases], Salem to consider the bail application of the petitioner on the same day on his surrender in Crime No.151 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), 323, 324 and 506[ii] 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 Government Advocate [Crl. Side] 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 Sessions Judge [Special Judge for SC/ST Act Cases], Salem is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.151 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 IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Sessions Judge.
Special Judge for SC/ST Act Cases, Salem.
2. The Inspector of Police,
Vazhapadi Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Vasudevan, Advocate SR.No.41659(03/07/2018)

CRL.OP.No.16537 of 2018

VGI (CO)
CS/29/06/18