IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.16899 of 2018

Sivakumar .. Petitioner

Vs

State rep. by
The Inspector of Police,
Vanur Police Station,
Villupuram District
(Crime No.320 of 2018). .. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District and Sessions Judge, Villupuram to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No.320 of 2018 on the file of the respondent pending investigation on the file of respondent.

For Petitioner : Mr.K.Kannan,
For Respondent : Ms.P.Kritika Kamal,
Government Advocate (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 District and Sessions Judge, Villupuram to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No.320 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 294(b) and 506(1) of IPC r/w Sections 3(1)(r) and 3(1)(s) 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.

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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 and Sessions Judge, Villupuram is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.320 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-)

//True Copy//

Sub Assistant Registrar

gmd/mk

To
1.The Principal District and Sessions Judge,
Villupuram.

2.The Inspector of Police,
Vanur Police Station,
Villupuram District

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.KANNAN, Advocate, S.R.No. 42082

CRL.OP.No.16899 of 2018

KAN(CO)
TR(03/07/2018)

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