

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.18306 of 2018

Surya @ Udhayasuriyan

.. Petitioner

Vs

State rep. by
The Inspector of Police,
Chinnasalem Police Station,
Villupuram District.
(Crime No.450 of 2018).

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the ***Special Court for SC/ST Cases**, Villupuram District to consider and pass orders on the bail application on the very same day in the event of the petitioners surrendering before the Court and filing bail application in connection with Cr.No.450 of 2018 on the file of the respondent Police.

For Petitioner : Mr.G.Mohammed Aseef
For Respondent : Mr.C.Iyyapparaj, APP

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 ***Special Court for SC/ST Cases**, Villupuram, to consider the bail application of the petitioner on the same day on his surrender in Crime No.450 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 and 324 of IPC, Section 4 of TNPHW Act, 2002 r/w Sections 3(1)(r) and 3(1)(s) 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 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 [POA] Act that the petitioner cannot move any anticipatory bail, the learned ***Special Court for SC/ST Cases**, Villupuram is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.450 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)
25/07/2018

**Amended as per the order of
this court dated 03/09/2018**

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gya

To

1.***Special Court for SC/ST Cases**,
Villupuram.

To be Substituted as
Per order already
despatched on 27/07/2018

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

3.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.G.MOHAMMED ASEEF, Advocate, S.R.No. 50115 & 60765

CRL.OP.No.18306 of 2018

BR(CO)

TR(26/07/2018)

nr 10/09/2018