

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.18638 of 2018

M.Arun Raj

.. Petitioner/Accused

Vs

The State rep. by
The Inspector of Police,
Thirunavalur Police Station,
Ulundurpet Taluk,
Villupuram District,
Crime No.223 of 2016

.. Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District and Sessions Judge, at Villupuram, to consider the bail petition to be filed by the petitioner on the same day as that on which he surrender before that Court in connection with Crime No.223 of 2016 on the file of the respondent police.

For Petitioner : Mr.N.Thirunavukkarasu

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

O R D E R

The learned counsel for the petitioner submit 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 his surrender in Crime No.223 of 2016 pending on the file of the respondent.

2. The learned counsel for the petitioners also submit that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 323, 324 and 506(i) of IPC and Sections 3(1)(r)(s) and 3(2)(va) of [POA] SC/ST Prevention of Atrocities Act, 1989 Amended Act 2014 and that in view of the specific bar under Section 18 of the said Act, the petitioners 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 and submitted that the investigation in Crime No.223 of 2015, was completed and the absconding charge sheet

in Spl.S.C.No.19 of 2018, has been filed before the Sessions Court, Tambaram.

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 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.223 of 2016 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 VII)

//True Copy//

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge,
Villupuram.

2.The Inspector of Police,
Thirunavalur Police Station,
Ulundurpet Taluk,
Villupuram District,

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Thirunavukkarasu, Advocate, S.R.No.51670

CRL.OP.No.18638 of 2018

MR (CO)
SMI/03.08.2018