

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 07.08.2018
CORAM
THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.19414 of 2018

Muruganantham

.. Petitioner/Accused

Vs

State by

The Inspector of Police,
Ariyalur Police Station,
Ariyalur District.
(Crime No.290/2018)

.. Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Principal District Sessions Judge-cum-Special Judge for SC/ST Act cases, Ariyalur to consider the bail application filed by the petitioner in connection with Crime No.290 of 2018 on the file of the Inspector of Police, Ariyalur Police Station, Ariyalur District on his surrender on the same day on sympathetic ground.

For Petitioner : Mr.M.Selvam
For Respondent : Mr.C.Raghavan, Govt. Advocate

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 Sessions Judge-cum-Special Judge for SC/ST Act cases, Ariyalur to consider the bail application of the petitioner on the same day on his surrender in Crime No.290 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), 323 and 506[1] IPC r/w Section 4 of TNPHW Act and Sections 3(1)(r), 3(1)(s) and 3(2)(v-a) of SC/ST [POA] Amendment Act 2005 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 [POA] Amendment Act that the petitioner cannot move any anticipatory bail, the learned Principal District Sessions Judge-cum-Special Judge for SC/ST Act cases, Ariyalur is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.290 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)

//True Copy//

Sub Assistant Registrar

To

1.Principal District Sessions Judge,
Special Judge for SC/ST Act cases, Ariyalur.

2.The Inspector of Police,
Ariyalur Police Station,
Ariyalur District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Selvam, Advocate, S.R.No.54303

सत्यमेव जयते

CRL.OP.No.19414 of 2018

GSP (09/08/2018)

WEB COPY