

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.19513 of 2018

Loganathan

.. Petitioner

Vs

State rep. by
Inspector of Police,
Vellode Police Station,
Perudurai Taluk,
Erode District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Principal District and Sessions Judge [Spl. Court for exclusive trial of cases under SC/ST [POA] Act 1989 r/w new Amendment Act, 2015] at Erode to accept the surrender of the petitioner herein in connection with the above Cr.No.113 of 2018 on the file of the respondent Police and consider the bail petition on the same day itself.

For Petitioner : Mr.T.M.Karthikeyan
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 Principal District and Sessions Judge [Spl. Court for exclusive trial of cases under SC/ST Act], Erode to consider the bail application of the petitioner on the same day on his surrender in Crime No.113 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 Section 3(1)(r), 3(1)(s) of SC/ST [POA] Amendment Act, 2015 and 506[i] IPC 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 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] Amendment Act that the petitioner cannot move any anticipatory bail, the learned learned Principal District and Sessions Judge [Spl. Court for exclusive trial of cases under SC/ST Act], Erode is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.113 of 2017 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

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To

1.The Principal District and Sessions Judge,
Spl. Court for exclusive trial of cases under SC/ST Act,
Erode.

2.The Inspector of Police,
Vellode Police Station,
Perudurai Taluk,
Erode District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.M.Karthikeyan, Advocate, S.R.No.53034

CRL.OP.No.19513 of 2018

NRL (CO)
BM 06/08/2018