

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.23596 of 2018

Shivashankar

.. Petitioner

Vs

State rep. by Inspector of Police,  
Kottur Police Station,  
Thiruvarur District.  
Crime.No. 168 of 2018

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to pass an order of Direction, directing the Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, \* **Thanjavur** to consider the bail application on the same day on surrender of the petitioner in Crime No.168/2018 on the file of the respondent Police

For Petitioner : Mr.R.Nalliyappan

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 Sessions Judge, Spl. Judge for SC&ST Act cases, \* **Thanjavur**, to consider the bail application of the petitioner on the same day on his surrender in Crime No.168 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 [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 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 Principal Sessions Judge, Spl. Judge for SC&ST Act cases, \* **Thanjavur**, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.168 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(CO)  
08.10.2018

\* Amended as per order  
of this Court dated 19.11.2018  
in CrI.Mp.No.15399 of 2018  
in CrI.Op.No.23596 of 2018

Sd/-  
Assistant Registrar (CO)  
dated:-22.11.2018

//True Copy//

Sub Assistant Registrar

gya  
To

1. The Principal Sessions Judge,  
Spl. Judge for SC&ST Act cases,  
Thiruvarur.

2. The Inspector of Police,  
Kottur Police Station,  
Thiruvarur District.  
Crime.No. 168 of 2018

3. The Public Prosecutor,  
High Court, Madras.

**To be Substituted  
to the order already  
Despatched on  
10.10.2018**

+1cc to Mr.R.Nalliyappan,Advocate,S.R.No.68989

CRL.OP.No.23596 of 2018

rrs 08/10/2018  
CS/22/11/2018