

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
CRL.O.P.No.24769 of 2018

K.Purushothaman @ Pathu

.. Petitioner

Vs

Union Territory rep. by
The Inspector of Police,
P.R.C. Cell Police Station,
Puducherry.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the II Additional District and Sessions Judge (Spl. Judge for SC/ST) at Puducherry to consider the bail application of the petitioner on the date of surrender before the court in connection with Crime No.4 of 2017 on the file of the respondent police.

For Petitioner : Mr.V.L.Nehru

For Respondent : Mr.Bharath Chakravarthy, PP(Pondy)

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 II Additional District and Sessions Judge, Spl. Judge for SC/ST Act Cases, Puducherry to consider the bail application of the petitioner on the same day on his surrender in Crime No.4 of 2017 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 153(A), 501, 502 of IPC, 67 of IT Act 2000 r/w Section 3(1)(u) of SC/ST [POA] Act, 1989 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 Public Prosecutor (Puducherry) 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 II Additional District and Sessions Judge, Spl. Judge for SC/ST Act Cases, Puducherry is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.4 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 IV)

//True Copy//

Sub Assistant Registrar

gya

To

1.II Additional District and Sessions Judge,
(Spl. Judge for SC/ST), Puducherry.

2.The Inspector of Police,
P.R.C. Cell Police Station,
Puducherry.

+1cc to Mr.V.L.Nehru, Advocate, S.R.No.71813

+1cc to the Government Pleader cum Public Prosecutor,
Puducherry, S.R.No.72125

सत्यमेव जयते

CRL.OP.No.24769 of 2018

CA(CO)

rrs 24/10/2018

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