

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
CRL.O.P.No.24411 of 2018

Eswaran @ Mathishwaran

.. Petitioner

Vs

State rep. by Inspector of Police,
Sankari Police Station,
Salem District.

Crime No.350 of 2018

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal District and Sessions Judge, Salem (Special Court for SC/ST Act cases, Salem) to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No.350 of 2018 pending investigation on the file of the respondent.

For Petitioner : Mr.T.Muruganantham

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 learned Principal District and Sessions Judge, Special Court for SC/ST Act cases, Salem, to consider the bail application of the petitioner on the same day on his surrender in Crime No.350 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 147, 294(b), 323 and 506[i] of IPC r/w Sections 3(1)(r), 3(1)(a) and 3(2)(va) of SC/ST [POA] Act 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] Act that the petitioner cannot move any anticipatory bail application, the learned Principal District and Sessions Judge, Special Court for SC/ST Act cases, Salem, is directed to consider the bail application, in the event of the

petitioner filing such petition in Crime No.350 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(CS II)

//True Copy//

Sub Assistant Registrar

dua

To

1.Principal District and Sessions Court,
Special Court for SC/ST Act cases, Salem.

2.The Inspector of Police,
Sankari Police Station,
Salem District.
Crime No.350 of 2018

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Muruganantham , Advocate SR.No. 71742

CRL.OP.No.24411 of 2018

ASK(23/10/2018)



WEB COPY