

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.10.2018
CORAM :
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P.No.24535 of 2018

Gnanavelu

.. Petitioner/Accused

Vs

State rep. by
The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.

.. Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Special Court for SC/ST Cases, Villupuram District, to consider the bail application of the petitioner on the same day in Crime No.858 of 2018 on the file of the respondent police.

For Petitioner : Mr.N.Santhosh

For Respondent : Ms.P.Kritika Kamal
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to direct the Special Judge, Special Court for SC/ST Cases, Villupuram District, to consider the bail application of the petitioner on the same day in Crime No.858 of 2018 on the file of the respondent police.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 153A, 504, 505(1) (c) IPC, Sections 3(1)(r), 3(1)(s) of the Scheduled Caste and the Scheduled Tribes [Prevention of Atrocities] Amendment Act, 2015 (for brevity "SC/ST Act"), and Section 67 of Information Technology Act 2000, and in view of the specific bar under Section 18 of the SC/ST Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the above prayer.

3. The learned Government Advocate (Crl. Side) takes notice for the respondent police.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case, and in view of the amendments made in the Scheduled Caste and the Scheduled

Tribes [Prevention of Atrocities] Act, 1989, this Court is of the view that the usual directions that were issued by this Court cannot be issued routinely in all cases. Therefore, the petitioner is directed to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, the learned Special Judge, Special Court for SC/ST Cases, Villupuram District, shall consider the bail application, in the event of the petitioner filing such application, on the same day, on merits and in accordance with law, after issuing notice to the victims under Section 15(A) of the SC/ST Act.

5. This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mkn/rkp

To

1.The Special Judge,
Special Court for SC/ST Cases,
Villupuram District.

2.The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Santhosh, Advocate, S.R.No. 71592

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PVS (CO)
GN(17/10/2018)