

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
CRL.O.P.No.24732 of 2018

P.Sekar

.. Petitioner

Vs

1.The State rep. by
The Deputy Superintendent of Police,
Salem District.

2.The Inspector of Police,
Deevattipatti Police Station,
Salem District.

.. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Principal District and Sessions Judge, Salem to accept the surrender petition filed by the petitioner and on the same day consider the bail application in Crime No.622 of 2018 in Deevattipatti Police Station, Salem 2nd respondent herein.

For Petitioner : Mr.J.Stalin

For Respondents : 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 District and Sessions Judge, Salem, to consider the bail application of the petitioner on the same day on his surrender in Crime No.622 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), 353, 506[i] and 109 of IPC r/w Sections 3(1)(r), 3(1)(a) and 3(2)(v-a) 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 respondents.

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 Principal District and Sessions Judge, Salem is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.622 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 IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal District and Sessions Judge,
Salem.
- 2.The Deputy Superintendent of Police,
Salem District.
- 3.The Inspector of Police,
Deevattipatti Police Station,
Salem District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Mohamed Saifulla, Advocate, S.R.No.71887

CRL.OP.No.24732 of 2018

CA(CO)

rrs 24/10/2018

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