

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.24903 of 2018

Sakthivel

.. Petitioner

Vs

State Rep. by
The Inspector of Police,
Padalur Police Station,
Perambalur District.
Crime No.224 of 2018

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Principal District and Sessions Judge, Perambalur for SC/ST Act, to consider the bail application of the petitioner the same day in the event of his surrender in connection with Crime No.224 of 2018 on the file of the respondent.

For Petitioner : Mr.C.Jayaprakash
For Respondent : Mr.C.Raghavan, GA

O R D E R

The learned counsel for the petitioner submit that the petitioner have come forward with this petition seeking for a direction to the learned Principal District and Sessions Judge, Spl. Judge for SC/ST Act cases, Perambalur to consider the bail application of the petitioner on the same day on their surrender in Crime No.224 of 2018 pending on the file of the respondent.

2. The learned counsel for the petitioner also submit that the petitioner have been implicated in this case for the alleged offences under Sections 147, 294(b), 353, 336 and 506(1) IPC and r/w Section 3(1)(r) and 3(1)(s) of the 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 have 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, the learned Principal District and Sessions Judge, Spl. Judge for SC/ST Act cases, Perambalur, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.224 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.Principal District and Sessions Judge,
Spl. Judge for SC/ST Act cases,
Perambalur.

2.The Inspector of Police,
Padalur Police Station,
Perambalur District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Jayaprakash, Advocate, S.R.No. 72794

GN (26/10/2018)

CRL.OP.No.24903 of 2018

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