

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25356 of 2018

Raja @ Rajaraman

.. Petitioner

Vs

State rep. by
The Inspector of Police,
Sethiya Thope Police Station,
Cuddalore District

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to issue a direction, directing the Principal Sessions Judge, Cuddalore to accept the surrender of the petitioner in Crime No.16 of 2014 on the file of the respondent police and consider the bail application.

For Petitioner : Mr.R.Chakkaravarthy

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 Principal District Sessions Judge, Cuddalore, to consider the bail application of the petitioner on the same day on his surrender in Crime No.16 of 2014 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 147,148, 341, 323, 294(b) and 324 IPC r/w Sections 3(1)(x) 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 taking notice for the respondent submitted that the investigation in Crime No.16 of 2014 was completed and charge sheet has been filed in P.R.C.No.21 of 2016 before the Judicial Magistrate No.1, Chidambaram, wherein this petitioner has been shown as A7 (absconding accused).

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 Sessions Judge, Cuddalore is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.16 of 2014 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 VIII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Sessions Judge,
Cuddalore.
- 2.The Inspector of Police,
Sethiya Thope Police Station,
Cuddalore District.
- 3.The Judicial Magistrate No.1,
Chidambaram.
- 4.The Public Prosecutor,
High Court, Madras.

CRL.OP.No.25356 of 2018

EU (CO)
GSP (31/10/2018)