WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.07.2016
CORAM
**THE HON'BLE DR.JUSTICE S.VIMALA**
Crl.O.P.(MD) No.10788 of 2016

Stalin ... Petitioner/Accused

-vs-

State represented by
The Sub-Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.498/2016) ... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned III Additional Sessions Judge (Special PCR Court), Madurai District to consider his bail application filed by the petitioner on the same day of surrender in Crime No.498 of 2016 on the file of the respondent police.

For Petitioner : Mr.G.Kandha Vadivelan

For Respondents : Mr.K.V.Rajarajan
Govt. Advocate (Crl.Side)

**O R D E R**

This petition has been filed, seeking to direct the learned III Additional Sessions Judge (Special PCR Court), Madurai District to consider his bail application filed by the petitioner on the same day of surrender in Crime No.498 of 2016 on the file of the respondent police.

2. Learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 341, 294(b) and 506(i) IPC and r/w Section 3(2)(V-a) of SC/ST (PoA) Amendment Ordinance Act, 2014 in Crime No.498 of 2016 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. According to the case of the prosecution, the defacto complaint is stated to have been abused and assaulted by the use of hands.

4. Learned Government Advocate (Crl.Side) takes notice for the respondents and submits that nobody sustained injury in the occurrence and that major part of the investigation is over.

5. 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 S.C. & S.T. (Prevention of Atrocities) Act that the petitioner is directed to surrender before the learned III Additional Sessions Judge (Special PCR Court), Madurai District within ten days from the date of receipt of a copy of this order. On such surrender, the

https://hcservices.ecourts.gov.in/hcservices/

learned III Additional Sessions Judge (Special PCR Court), Madurai District is directed to accept his surrender of the petitioner and consider his bail application, in the event of the petitioner filing such petition in Crime No.498 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/
Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The III Additional Sessions Judge
   (Special PCR Court), Madurai District

2. The Sub-Inspector of Police,
   Melur Police Station,
   Madurai District.

3 The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

Crl.O.P.(MD) No.10788 of 2016
01.07.2016

ar
PA/NGM-MP/SAR II/01.07.2016/2P/4C

https://hcservices.ecourts.gov.in/hcservices/