



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Criminal Original Petition (MD) No.11599 of 2016

Krishnaraj

... Petitioner/Accused
Rank Not Known

vs.

1.The Deputy Superintendent of Police
Thiruvarur Sub-Division
Thiruvarur

2.The Inspector of Police
Koradachery Police Station
Thiruvarur District
(Crime No.197 of 2016)

... Respondents/Complainants

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned I Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Thanjavur, to consider the bail application of the petitioner on the same day of his surrender in Crime No.197 of 2016, on the file of the respondents Police.

For Petitioner : Mr.S.Muthumalairaja
For Respondents : Mr.P.Kandasamy
G.A. (Crl.Side)

O R D E R

The petitioner, who is accused (rank not known) in Crime No.197 of 2016 under Sections 324, 506(ii) I.P.C., altered into 147, 148, 324, 506(ii) and 307 I.P.C., r/w Section 3(2)(V) of S.C. / S.T. (P.O.A.) Amendment Act, 2015, registered by Koradachery Police Station, seeks a direction to the learned I Additional Sessions Judge for S.C. / S.T. (P.O.A.) Act, P.C.R. Court, Thanjavur, to consider his bail petition on the date of his surrender.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondents.

3. The petitioner is accused of having committed offences under S.C. / S.T. (P.O.A.) Amendment Act, 2015. As per Section 18 of the Act, advance bail petition under Section 438 Cr.P.C., will not lie.



4. In the circumstances, the learned counsel for the petitioner submits that there is no prima facie case against the petitioner and seeks a direction to the learned I Additional Sessions Judge for S.C. / S.T. (P.O.A.) Act, P.C.R. Court, Thanjavur, to dispose of his bail petition on the date of his surrender.

5. In the facts and circumstances, ordered as under:

- (i) The petitioner shall surrender before the learned I Additional Sessions Judge for S.C. / S.T. (P.O.A.) Act, P.C.R. Court, Thanjavur, within 10 days from the date of receipt of a copy of this order.
- (ii) On the date of his surrender the said Judge shall dispose of his bail petition according to law.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1.The I Additional Sessions Judge
for S.C./S.T. (Prevention of Atrocities) Act,
P.C.R. Court,
Thanjavur.

2.The Deputy Superintendent of Police,
Thiruvarur Sub-Division,
Thiruvarur.

3.The Inspector of Police,
Koradachery Police Station,
Thiruvarur District.

4.The Government Advocate (Criminal Side),
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Muthumalairaja, Advocate SR.No.36591

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