



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2016

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE P.DEVADASS

Criminal Original Petition (MD) No.11710 of 2016

Balamurugan

... Petitioner

vs.

1.The Deputy Superintendent of Police
Satthankulam Sub Division
Thoothukudi District

2.The State through
The Inspector of Police
Thiruchendur Police Station
Thoothukudi District
(Crime No.226 of 2016)

... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned I Additional District & Sessions Judge (PCR), Tirunelveli, to consider the bail application filed by the petitioner and pass order in the bail application filed by the petitioner on the same date of his surrender in Crime No.226 of 2016, on the file of the respondent No.2 in accordance with law.

For Petitioner : Mr.L.M.Vijaiboominathan

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

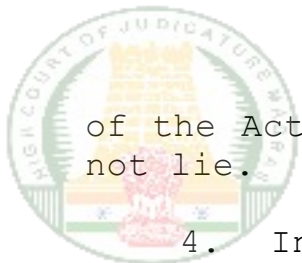
O R D E R

The petitioner, who is A1 in Crime No.226 of 2016 under Sections 448, 294(b), 506(ii) I.P.C., and Sections 3(1), 3(1)(r), 3(1)(s), 3(2)(VA) of S.C. / S.T. (P.O.A) Amendment Act, 2015, registered by Tiruchendur Police Station, seeks a direction to the learned I Additional District & Sessions Judge, P.C.R.Court, Tirunelveli, 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.

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

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 District & Sessions Judge, P.C.R.Court, Tirunelveli, 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 District & Sessions Judge, P.C.R.Court, Tirunelveli, 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 (P&A)

/True Copy/

Sub Assistant Registrar

krk

To

1.The I Additional District & Sessions Judge,
P.C.R.Court, Tirunelveli.

2.The Deputy Superintendent of Police,
Satthankulam Sub Division, Thoothukudi District.

3.The Inspector of Police, Thiruchendur Police Station,
Thoothukudi District.

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

GJM/SKS/RR/SAR-III-20.7.16-2p-5c

CrI.O.P. (MD) .No.11710 of 2016
14.07.2016