



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Cr1.O.P. (MD)No.11900 of 2016

Kalai

... Petitioner

-vs-

The State represented by its
the Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Crime No.276/2016)

... Respondent

PRAYER: Criminal Original Petition is filed, under Section 482 Cr.P.C., praying to direct the learned III Additional District Judge cum PCR Court, Madurai to consider the bail application of the petitioner on the very same day of his surrender pending investigation in connection with the Crime No.276 of 2016 on the file of the respondent police.

For Petitioner: Mr.S.M.P.Amalan

For Respondent: Mr.P.Kandasamy

Govt.Advocate (Cr1.side)

O R D E R

The petitioner, who is sole accused in Crime No.276 of 2016 under Sections 294(b) of I.P.C., and Section 3(1) (r) and Section 3(1) (s) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Ordinance, 2014, registered by the Kottampatti Police Station, Madurai District, seeks a direction to the learned III Additional District Judge cum PCR Court, Madurai, 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 respondent.

3. The petitioner is accused of having committed offences under SC/ST (POA) Act. 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 Special Judge to dispose of his bail petition on the date of his surrender.

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

(1) The petitioner shall surrender before the learned III Additional District Judge cum PCR Court, Madurai within 10 days from the date of receipt of a copy of this order.

(2) On the date of his surrender the said Judge shall dispose of his bail petition according to law.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

akv

To:

1.The III Additional District Judge cum
PCR Court, Madurai.

2.The Inspector of Police, Kottampatti Police Station,
Madurai District.

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

+1CC to Mr.Jeyakarthik, Advocate Sr.No.37736

GJM/PEK/26/7/16-2p-5c

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