

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 22.07.2016****CORAM:****THE HONOURABLE Dr. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.12029 of 2016**

Packiyaraj

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Sessions Judge Special Court for exclusive trial of cases under SC/ ST (Prevention of Atrocities) Act Sivagangai to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No. 484 of 2016 on the file of the respondent police.

For Petitioner : Mr.A.Mohan

For respondents : Mr.A.P.Balasubramani
Government Advocate (Criminal side)

ORDER

This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the respondents.

3.The petitioner is arrayed as accused No.4 in Crime No.484/2016 in respect of the offences under Sections 147, 148, 452, 294(b), 324, 506(ii), 427, 307 IPC r/w 3 (2) (Va) of SC/ST (POA) Act 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.

4.Learned Government Advocate (Cr1. Side) takes notice for the respondent and submits, on instructions, that injured has been discharged from the hospital and investigation is almost



completed. He would further submit that in respect of the co-accused, similar direction has been given.

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 cannot move any anticipatory bail, the Sessions Judge Special Court for exclusive trial of cases under SC/ ST (Prevention of Atrocities) Act Sivagangai, is directed to accept the surrender of the petitioner and consider his bail application, in the event of the petitioner filing such petition in Crime No.484/2016 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 (AE)

/True Copy/

Sub Assistant Registrar

To

1.The Sessions Judge Special Court
Sivagangai

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District

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

+1 CC to Mr.A.Mohan, Advocate SR.No.38932.

RR

SME/SKSN/02/08/2016 :2P/5C

22.07.2016
Cr1.O.P(MD)No.12029 of 2016