



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.12096 of 2016

Kathiresan

.. Petitioner

Vs.

The Inspector of Police,
Elayankudi Police Station,
Sivagangai District
Crime No.195 of 2016

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the District Sessions/PCR Court, Sivagangai to consider the bail application filed by the petitioners on the same day of their surrender in Cr.No.195 of 2016, on the file of the respondent police.

For Petitioner : Mr.V.Manikandan

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

ORDER

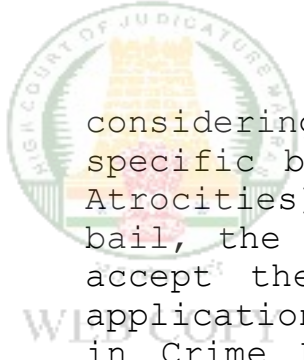
This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3.The petitioners are arrayed as accused in Crime No.195/2016 in respect of the offences under Sections 147, 294(b), 323, 506 (i), 109 IPC r/w 3 (1)(r), 3(1)(s) of SC/ST (POA) Amendment Ordinance Act 2014 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 (Crl. Side) takes notice for the <https://hcservices.mca.gov.in/hcservices/> submits, on instructions, that the injured is stated to have been treated as out patient and the investigation is almost completed.

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 District Sessions/PCR Court, 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.195/2016 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 (CS-II)

/True Copy/

Sub Assistant Registrar (CS)

To

1. The District Sessions/PCR Court,
Sivagangai
2. The Inspector of Police,
Elayankudi Police Station,
Sivagangai District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.V.Manikandan, Advocate, Sr.No.38078

RR

JM/SK-SKN/SAR-III/25.07.2016/2P-5C

Cr1.O.P(MD)No.12096 of 2016
19.07.2016