

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.07.2016****CORAM:****THE HONOURABLE Dr. JUSTICE S.VIMALA****Crl.O.P. (MD) .No.12189 of 2016**

Kokkidurai @ Durai

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Pettai Police Station,
Tirunelveli District

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Additional Sessions Judge NO.II (PCR) Tirunelveli to consider the petitioners anticipatory bail application on very same day in respect of case registered in Crime No.414 of 2016 on the file of the Respondent Police.

For Petitioner : Mr.M.P.Senthil

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

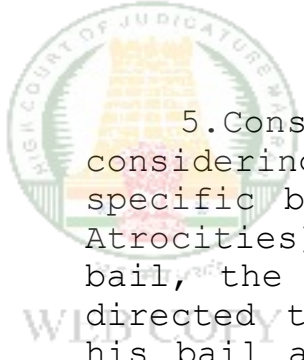
ORDER

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 respondents.

3.The petitioner is arrayed as accused No.3 in Crime No.414/2016 in respect of the offences under Sections 147, 294(b), 323 IPC and r/w 3 (1)(r), 3(1)(s) and 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 (Crl. Side) takes notice for the respondent and submits, on instructions, that the injured has been discharged from the hospital 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 petitioners cannot move any anticipatory bail, the Additional Sessions Judge NO.II (PCR) Tirunelveli, 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.414/2016 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

RR

To

1.The Additional Sessions Judge NO.II (PCR)
Tirunelveli

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli District

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

+1CC to Mr.M.P.Senthil, Advocate Sr.No.38204

GJM/SK/SKN/SAR-I-25.7.16-2p-5c

Cr1.O.P (MD) No.12189 of 2016
20.07.2016