

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 04.08.2016****CORAM:****THE HONOURABLE Dr. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.13839 of 2016**

Sankaranarayanan @ Sivasankar

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
Kovilpatti Taluk,
Kovilpatti, Tuticorin District

2.The Inspector of Police,
KovilpattiEast Police Station,
Tuticorin District
Crime No.139/2013

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the II Additional Sessions Judge cum PCR Court, Tirunelveli, to consider the bail application filed by the petitioner on the same day of his surrender in Crime No. 139 of 2013 on the file of the 2nd respondent herein.

For Petitioner : Mr.M.Veilkaniraju

For respondents : Mr.P.Kandasamy

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.11 in Crime No.139/2013 in respect of the offences under Sections 147, 148, 294(b), 324 and 506(i) IPC and Section 3 (1)(x) 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 major part of the investigation is almost completed, and injures has been discharged from the hospital.

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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 II Additional Sessions Judge cum PCR Court, Tirunelveli District, 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.139/2013 on the file of the second 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-I)

/True copy/

Sub Assistant Registrar

To

1.The II Additional Sessions Judge cum PCR Court,
Tirunelveli

2.The Deputy Superintendent of Police,
Kovilpatti Taluk,
Kovilpatti, Tuticorin District

3.The Inspector of Police,
Kovilpatti East Police Station,
Tuticorin District

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

+1 CC to Mr.M.VEILKAIRAJU, Advocate, SR No. 41929

Crl.O.P (MD) No.13839 of 2016
04.08.2016

SH/SAR-CO:10.08.2016:2P/6C