



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P. (MD) .No.13861 of 2016

Thanga Manickam

..Petitioner/3rd Accused

Vs.

The State rep. by its
the Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District
Crime No.131/2016

..Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Principal Sessions Judge cum PCR Judge Ramanathapuram to consider the bail application of the petitioner on the very same day of his surrender pending investigation in connection with the Crime No. 131 of 2016 on the file of Respondent police.

For Petitioner : Mr.M.Sivaramakrishnan

For respondent : Mr.P.Kandasamy

Government Advocate (Criminal side)

ORDER

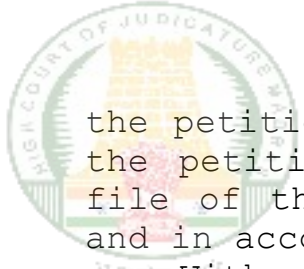
This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

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

3.The petitioner is arrayed as 3rd accused in Crime No.131/2016 in respect of the occurrence that took place on 02.07.2016 for the offences under Sections 341, 294(b), 324, 307 IPC and Section 3 (2)(v) of SC/ST (POA) Act,1989 and Section 3 of TNPPDL Act 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 injured has been discharged from the hospital and major part of the investigation is almost completed. It is submitted that A2 is the prime accused, who has already been granted bail.

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 learned Principal Sessions Judge cum PCR Judge Ramanathapuram 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.131/2016 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-I)

/True copy/

Sub Assistant Registrar(CS)

To

1.The Principal Sessions Judge cum PCR Judge
Ramanathapuram.

2.The Inspector of Police, Sayalkudi Police Station,
Ramanathapuram District

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

+1cc to Mr.Jeyakarthick, Advocate in SR.41980

Crl.O.P(MD)No.13861 of 2016
04.08.2016

rr.

PBK/GSV-PM/SAR-I 18.08.2016 ::2P-5C: