



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.14875 of 2016

Arun @ Sugumar

..Petitioner / Accused No.2

Vs.

The Deputy Superintendent of Police,
Puthupattinam Police Station,
Nagapattinam District
Crime No.264/2016

..Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned 1st Additional District and Sessions Judge (PCR) Thanjavur to accept his surrender and to consider the bail application to be filed by the petitioner on same day on merits in Crime No. 264/2016 on the file of respondent police.

For Petitioner : Mr.A.Arunprasad

For respondents : Mr.K.V.Rajarajan

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.2 in Crime No.264/2016 in respect of the offences under Sections 294(b), 324, 427 IPC and r/w 3 (1)(r), 3(1)(s) and 3(2)(VA) of SC/ST (POA) Act, 2015 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 main accused/A1 in this case has already been arrested and released on bail 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 learned 1st Additional District and Sessions Judge (PCR)



Thanjavur, 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.264/2016 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 (CSII)

/True Copy/

Sub Assistant Registrar

To

1. The 1st Additional District and Sessions Judge (PCR)
Thanjavur
2. The Deputy Superintendent of Police,
Puthupattinam Police Station,
Nagapattinam District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.A.Arunprasad, Advocate SR.No.45079

CrI.O.P(MD)No.14875 of 2016

RR

SD/DB/23.08.2016/2P/5C

16.08.2016