



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

CrI.O.P. (MD) .No.15638 of 2016

R.Annadurai

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
P.C.Patti Police Station,
Theni District
Crime No.468/2016

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Principal District Judge, Theni (PCR Act Cases) to consider the bail application on the same day, filed by the petitioner/accused in Crime No.468/2016 dated 05.08.2016 on the file of the respondent police.

For Petitioner : Mr.P.Muthuvijayapandian
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 (CrI. Side) for the respondents.

3.The petitioner is arrayed as accused No.3 in Crime No.468/2016 in respect of the offences under Sections 342, 147, 148, 324, 506(ii) IPC and r/w 3 (1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Amended 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 (CrI. Side) takes notice for the respondent and submits, on instructions, that injured has been discharged from the hospital and investigation is almost completed and that the co-accused had already been enlarged on bail in CrI.O.P. (MD) No.s15099 and 15243/2016.



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 Principal District Judge, Theni (PCR Act Cases), 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.468/2016 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

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal District Judge,
Theni (PCR Act Cases)
- 2.The Inspector of Police,
P.C.Patti Police Station,
Theni District
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.P.MUTHU VIJAYA PANDIAN, ADVOCATE IN SR No. 47570

RR
TE/CK : 16/09/2016 : 2P/5C

CrI.O.P (MD) No.15638 of 2016
26.08.2016