

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.08.2016****CORAM:****THE HONOURABLE Dr. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.15755 of 2016**

P.Packiyaraj

.. Petitioner/A4

Vs.

The State rep. by its
The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.
(Crime No.157 of 2016)

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned I Additional District and Sessions Judge cum (PCR Court), Thanjavur to accept the surrender of the petitioner and to consider his bail application on the same day in connection with Crime No.157 of 2016 on the file of the respondent police.

For Petitioner : Mr.S.Vinayak

For respondent : 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 (Cr1. Side) for the respondent.

3.The petitioner is arrayed as accused No.4 in Crime No.157 of 2016 in respect of the offences under Sections 147, 148, 294(b), 324 and 506(ii) IPC and 3(I) of TNPPDL Act r/w 3 (1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Ordinance 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 (Cr1. Side) takes notice for the respondent and submits, on instructions, that investigation is



almost completed and the injured has already been discharged from the hospital and A1 to A3 were already released on 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 I Additional District and Sessions Judge cum (PCR Court), 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 No157/2016 on the file of the respondent police and dispose of the same on merits and in accordance with law on the same day.

6. With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar-

To

1.The 1st Additional District and Sessions Judge Cum (PCR Court),
Thanjavur

2.The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.

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

+1cc to Mr.S.VINAYAK, Advocate Sr.No.47345

Cr1.O.P(MD)No.15755 of 2016
26.08.2016

RR

SH/GSV-PM/SAR-III:26.08.2016:2P/5C