



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.15765 of 2016

Minor P.Balaji Venkatraman
representing through his father cum
Natural Guardian V.Parthasarathy(54),
No.9, Angammal Compound,
Viswanatha Nagar,
K.Pudur,
Madurai-07.

... Petitioner

(*)Accused Rank not known Amended as per order of this Hon'ble court made in Crl MP(MD).9038/16 in Crl OP.(MD)No.15765/16 dated 26.09.2016

Vs.

The State,
Rep by its Sub Inspector of Police,
Appanthirupathy Police Station,
Madurai District.
In Crime No.36 of 2016.

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Judicial Magistrate Officer Juvenile Justice Board, Madurai, to consider bail application that will be filed by the petitioner in Crime No.36 of 2016 on the file of the respondent police and pass orders on the same day of its filing or on them appearance before this Court.

For Petitioner : Mr.S.Selvakumar
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 (Crl. Side) for the respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioner is arrayed as accused in Crime No.36 of 2016



in respect of the offences under Sections 147, 352, 323, 354, 427 IPC r/w 4 of TNPWH Act and Section 3 (ii)(v)(a) of SC/ST (POA) Act, 2014 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 investigation is almost completed and the injured has already been discharged from the hospital.

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 Judicial Magistrate, Juvenile Justice, Board, Madurai, 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 No36/2016 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(CS-I)

/True copy/

Sub Assistant Registrar

To

(To be substituted to the order already despatched on 08.09.2016)

- 1.The Judicial Magistrate,
Juvenile Justice Board,
Madurai.
- 2.The Sub Inspector of Police,
Appanthirupathy Police Station,
Madurai District.
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.S.Selvakumar, Advocate SR.NO.47549

jikr

sm:PV:2.9.2016:2P/5C

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26.08.2016