

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 30.08.2016****CORAM:****THE HONOURABLE Dr. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.16054 of 2016**

N.Pandiyarajan

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Melur Police Station,
Madurai District
Crime No.788/2016

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the II Additional District and Sessions Judge, Tirunelveli (PCR Court) to consider the bail application of the petitioner/Accused No.1 in Cr.No.788/2016 on the file of the respondent police on the same day of surrender, on merits.

For Petitioner : Mr.S.M.P.Amalan
For respondents : Mr.A.P.Balasubramani
Government Advocate (Criminal side)

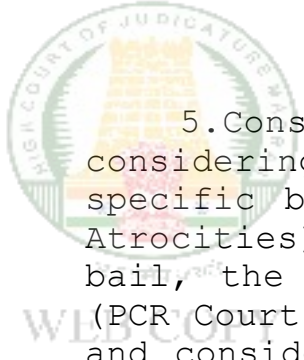
ORDER

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 (Cr1. Side) for the respondents.

3.The petitioner is arrayed as accused NO.1 in Crime No.788/2016 in respect of the offences under Sections 294(b), 323, 324, 448, 506(ii) IPC and r/w 3 (1)(v)(A) of SC/ST (POA) 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 injured has 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 II Additional District and Sessions Judge, Tirunelveli (PCR Court), 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.788/2016 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 (RTI)

/True copy/

Sub Assistant Registrar

To

1.The II Additional District and Sessions Judge,
Tirunelveli (PCR Court)

2.The Inspector of Police,
Melur Police Station, Madurai District

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

+1cc to Mr.M.S.JEYAKARTHIK,ADVOCATE IN SR.NO. 48410

RR

JA-SKS-RR-15.09.2016/2P:5C

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