



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.16227 of 2016

Muthiah

.. Petitioner

Vs.

The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District
Crime No.447/2016

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Principal Sessions Judge Virudhunagar/The Special Court, Virudhunagar District to consider the bail application of the petitioner herrein on the same day of surrender pertaining to the Crime No.447/2016 on the file of the Rajapalayam South Police Station, Virudhunagar District.

For Petitioner	: Mr.R.Nireshkumar
For respondents	: Mr.A.P.Balasubramani
	Government Advocate (Criminal side)

ORDER

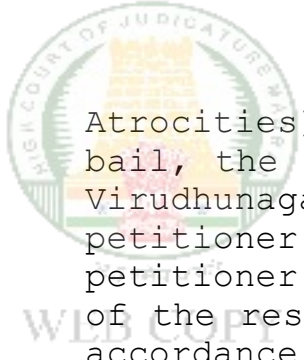
This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3.The petitioner is arrayed as accused No.1 in Crime No.447/2016 in respect of the offences under Sections 406, 420, 506(i) IPC and r/w 3 (1)(x), 3(1)(xi) 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 (Crl. Side) takes notice for the respondent and submits, on instructions, that 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 Principal Sessions Judge Virudhunagar/The Special Court, Virudhunagar District, 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.447/2016 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(W)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Sessions Judge Virudhunagar/
The Special Court, Virudhunagar District.
2. The Inspector of Police,
The Rajapalayam South Police Station,
Virudhunagar District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.R.Nireshkumar, Advocate SR.No.48989

Cr1.O.P(MD)No.16227 of 2016

31.08.2016

rr

SD/SS-3/14.09.2016/2P/5C