

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 01.09.2016****CORAM:****THE HONOURABLE Dr. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.16310 of 2016**

T.Hari @ Hariharan

.. Petitioner

Vs.

The 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 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)

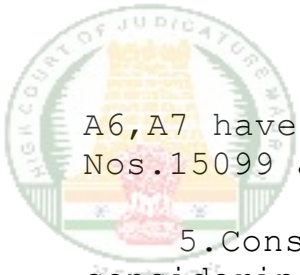
ORDER

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 (Cr1. Side) for the respondents.

3.The petitioner is arrayed as accused No.5 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), 3(2)(va) 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. He would further submit that already A3,A4,



A6,A7 have already been granted bail by this Court in CrI.O.P.(MD) Nos.15099 and 15243/2016 respectively.

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 (RTI)

/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 VIJAYAPANDIAN, Advocate SR.No.41159

CrI.O.P(MD)No.16310 of 2016
01.09.2016

SMA/PV/16/09/2016 :2P/5C