



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.16361 of 2016

Suresh

.. Petitioner/A3

Vs.

The State rep. by its
The Inspector of Police,
Koodakovil Police Station,
Madurai District
Crime No.180/2016

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the III Additional District and Sessions Judge cum SC/ST (Prevention of Atrocities) Act, (PCR Unit) Madurai to consider the bail application of the petitioners on the very same day of their surrender in Crime No.180/2016 on the file of the respondent police.

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

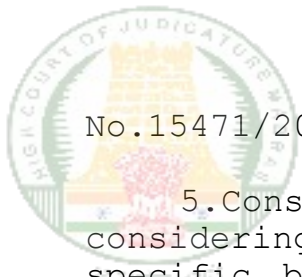
ORDER

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.3in Crime No.180/2016 in respect of the offences under Sections 294(b), 323, 506(i) IPC and r/w 3 (1)(r)(s) of SC/ST (POA) Amendment Act, 2015 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. He would further submit that already A4 and A8 have already been granted bail by this Court in Crl.O.P.(MD)



No.15471/2016 on 23.08.2016.

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 III Additional District and Sessions Judge cum SC/ST (Prevention of Atrocities) Act, (PCR Unit) 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 No.180/2016 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

/True Copy/

Sub Assistant Registrar

To

1. The III Additional District and
Sessions Judge cum SC/ST
(Prevention of Atrocities) Act, (PCR Unit)
Madurai
2. The Inspector of Police,
Koodakovil Police Station,
Madurai District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.S.SIVAPRAKASH, ADVOCATE IN SR No. 49211

RR
TE/CK : 16/09/2016 : 2P/5C

Crl.O.P (MD) No.16361 of 2016
01.09.2016