

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 07.09.2016****CORAM:****THE HONOURABLE MR.JUSTICE B.GOKULDAS****Cr1.O.P. (MD) .No.16708 of 2016**

Appu @ Kamalraj

.. Petitioner

Vs.

The State rep. by its
The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Learned I Additional District and Sessions Judge-cum-(PCR Court), Thanjavur to accept the surrender of the petitioner and to consider his bail application on the same day in connection with Crime No.59 of 2016, on the file of the respondent police.

For Petitioner : Mr.M.Murugaamannar

For respondent : Mr.K.Anbarasan

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 respondent.

3.The petitioner is arrayed as accused No.1 in Crime No.59/2016 in respect of the offences under Sections 294(b), 324, 307 of IPC and r/w 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Amendment Ordinance 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 (Cr1. 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 I Additional District and Sessions Judge-cum-(PCR Court), Thanjavur, 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.59/2016 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 (AS)

/True Copy/

Sub Assistant Registrar

To

- 1.The I Additional District and Sessions Judge-cum-(PCR Court), Thanjavur
 - 2.The Inspector of Police,
Ammappettai Police Station,
Thanjavur District.
 - 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.
- +1 cc to MR.B.JAMEEL ARASU, Advocate Sr.No.51030

Cr1.O.P(MD)No.16708 of 2016
07.09.2016

SMA/DB/15/09/2016 :2P/5C