



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.17508 of 2016

K.Easwaran

.. Petitioner

Vs.

1.The State of Tamil Nadu represented by the
Deputy Superintendent of Police,
Theni, Theni District.
(Cr.No.385 of 2016)

2.The Inspector of Police,
Allinagaram Police Station,
Allinagaram, Theni District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned District Judge, Theni to consider and pass orders on bail application to be filed by petitioner in connection with Cr.No.385 of 2016 pending on file of Allinagaram Police Station on the same day of his surrender .

For Petitioner : Mr.N.Dilip Kumar

For respondents : Mr.K.Anbarasan

Government Advocate (Criminal side)

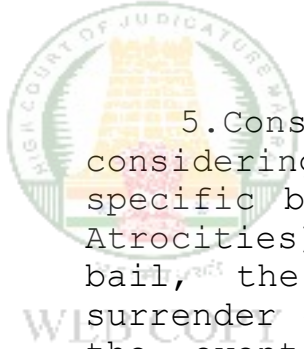
ORDER

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 (Crl. Side) for the respondent.

3.The petitioner is arrayed as accused in Crime No.385/2016 in respect of the offences under Sections 147, 148, 341, 294(b), 323, 324, 342, 379, 506(ii) of IPC r/w 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 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.The learned Government Advocate (Crl. Side) would submit that the injured person had already 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 District Judge, Theni 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.385/2016 on the file of the second respondent police and dispose of the same on merits and in accordance with law on the same day.

6.This petition is disposed of accordingly.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub-Assistant Registrar

To

1.The District Court,
Theni.

2.The Deputy Superintendent of Police,
Theni, Theni District.

3.The Inspector of Police,
Allinagaram Police Station,
Allinagaram, Theni District.

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

+One cc to Mr.N.Dilip Kumar, Advocate,SR.No.53542
am

RL/6C/2P/SKS/RR/28/9/2016

Cr1.O.P(MD)No.17508 of 2016

20.09.2016