



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.17535 of 2016

Madhu @ Madhavan

..Petitioner

Vs.

1.The Superintendent of Police,
Theni District,
Theni.

2.The Inspector of Police,
Allinagaram Police Station,
Theni District
In Crime No.385 of 2016.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned I Additional Sessions Judge -cum- PCR Court, Theni to consider the bail application filed by the petitioner on the same day of his surrender in Crime No.385 of 2016, on the file of the respondent.

For Petitioner : Mr.S.T.Sasidharan Tamil Kani
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, 294(b), 341, 323, 324, 342, 379 and 506(ii) of IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST 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.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 I Additional Sessions Judge -cum- PCR Court, 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(P&A)

/True copy/

Sub Assistant Registrar(CS)

To

1. The I Additional Sessions Judge -cum- PCR Court, Theni

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

3. The Inspector of Police, Allinagaram Police Station,
Theni District, In Crime No.385 of 2016.

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

+1cc to Mr.S.T.Sasidharan Tamilkani, Advocate in SR.53819

Cr1.O.P(MD)No.17535 of 2016
20.09.2016

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