

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.09.2016****CORAM:****THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM****Cr1.O.P. (MD) .No.17767 of 2016**

Rajadurai

.. Petitioner/Accused NO.2

Vs.

1.The Deputy Superintendent of Police,
Tenkasi,Tirunelveli District.2.State, rep. By Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.
(Cr.No.334 of 2016)

.. Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned II Additional Sessions Judge, Tirunelveli to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.334 of 2016, dated 22.08.2016, on the file of the Respondent police.

For Petitioner : Mr.P.Saravanakumar

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 (Cr1. Side) for the respondents.

3.The petitioner is arrayed as accused in Crime No.334/2016 in respect of the offences under Sections 147, 341, 294(b), 323, 506 (i) of IPC and Section 3(1)(r)(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.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 II Additional Sessions Judge, Tirunelveli, 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.334/2016 on the file of the 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 (T&P)

/True copy/

Sub Assistant Registrar

To

1.The II Additional Sessions Judge
Tirunelveli.

2.The Deputy Superintendent of Police,
Tenkasi,Tirunelveli District.

3.The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.

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

+1cc to Mr.P.Saravanakumar, Advocate in SR.No. 53835

AM

JA-SKS-RR-SAR.I/28.09.2016/2P:6C

Crl.O.P (MD) No.17767 of 2016
20.09.2016