



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2016

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Criminal Original Petition (MD) No.1851 of 2016

Jawahar

... Petitioner

vs.

State rep. by
The Inspector of Police
Thattarmadam Police Station
Thoothukudi District
(Crime No.14 of 2016)

... Respondent

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned II Additional District and Sessions Judge (Protection of Civil Rights), Tirunelveli, to accept the surrender of the petitioner and to consider the bail application to be filed by the Petitioner on the same day in Crime No.14 of 2016, on the file of the respondent Police.

For Petitioner : Mr.T.A.Ebenezer

For Respondent : Mr.A.P.Balasubramani, G.A.(Crl.Side)

O R D E R

The learned counsel appearing for the petitioner has submitted that the petitioner has come forward with this petition seeking for a direction to the learned II Additional District and Sessions Judge (Protection of Civil Rights), Tirunelveli, to consider the bail application of the petitioner on the same day on his surrender in Crime No. 14 of 2016, pending on the file of the respondent Police.

2. The learned counsel for the petitioner has also submitted that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 323 I.P.C., and Section 3 (1)(x) of S.C. & S.T. (Prevention of Atrocities) 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.



3. The learned Government Advocate (Criminal Side) takes notice for the respondent.

4. 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 learned II Additional District and Sessions Judge (Protection of Civil Rights), Tirunelveli, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.14 of 2016, on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

5. With the above observation, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(R)

/True Copy/

Sub-Assistant Registrar

To

1.The II Additional District and
Sessions Judge,
(Protection of Civil Rights),
Tirunelveli.

2.The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.

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

+One cc to M/s.T.A.Ebenezer, Advocate, SR.No.6719

krk

RL/5C/AAL/MPA/11/2/2016

Cr1.O.P(MD).No.1851 of 2016