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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition (MD) No.1923 of 2016

G.Velmurugan

... Petitioner

vs.

The State
rep. through
The Inspector of Police
Temble Police Station
Tiruchendur
(Crime No.7 of 2016)

... Respondent

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned Additional District Judge No.II (P.C.R.), Tirunelveli, to consider the petitioner's bail application, on the date of his surrender in respect of Crime No.7 of 2016, on the file of the respondent Police and grant the same on the very same day.

For Petitioner : Mr.P.R.Prithiviraj

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 Additional District Judge No.II (P.C.R.), Tirunelveli, to consider the bail application of the petitioner on the same day on his surrender in Crime No. 7 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 147, 341, 294(b), 323, 506(ii) I.P.C., r/w 3(1)(x) S.C. & S.T. (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.

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 Additional District Judge No.II (P.C.R.), Tirunelveli, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.7 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(Records)

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Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

To

1.The Additional District Judge No.II (P.C.R.),
Tirunelveli.

2.The Inspector of Police,
Temple Police Station,
Tiruchendur.

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

+1cc to M/S.P.R.Prithiviraj,Advocate in SR.No. 6674

Cr1.O.P(MD).No.1923 of 2016
03.02.2016

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