



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) No.20091 of 2016

Subramanian

.. Petitioner/Accused rank not known

Vs.

The State rep. by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
(Crime No.311 of 2016)

.. Respondent/complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure praying a direction to the learned II-Additional District and Sessions Judge (PCR cases), Tirunelveli to consider the petitioner's bail application and dispose the bail application on the same day, if the petitioner surrender before the learned I-Additional District and Sessions Judge (PCR cases), Tirunelveli in Crime No.311 of 2016 on the file of the respondent.

For Petitioner : Mr.S.Sundarapandian

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl. Side)

O R D E R

The petitioner seeks a direction to the learned II-Additional District and Sessions Judge (PCR cases), Tirunelveli, to consider the bail application of the petitioner on the day of surrender itself.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

3. The petitioner is arrayed as accused in Crime No.311 of 2016 for the offences punishable under Sections 342, 294(b), 324 and 506(ii) of I.P.C., and Sections 3(1)(r)(s) and 3(1)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)



Amendment Act, 2015, 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 up with this petition.

4.The learned Government Advocate (Cr1. Side) would submit that the injured had already been discharged from the hospital.

5.Considering the facts and circumstances of the case, the petitioner is directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioner in Crime No.311 of 2016 and consider the petitioner's bail application and dispose of the same on merits and in accordance with law, on the same day of his surrender.

6.This Criminal Original Petition is ordered accordingly.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The II-Additional District and Sessions Judge (PCR Cases),
Tirunelveli.
2. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.S.SUNDARAPANDIAN, ADVOCATE IN SR No. 62985

PJL
TE/PV/SAR-AE : 01/11/2016 : 2P/5C

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