



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2016

CORAM

THE HON'BLE MR. JUSTICE K. KALYANASUNDARAM

Crl.O.P. (MD) No.20110 of 2016

Mohamed Abubakkar
rank not

.. Petitioner/Accused
known

Vs.

1.The Superintendent of Police,
Devipattinam,
Ramanathapuram District.

2.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

(Crime No.382 of 2016)

.. Respondent/complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the learned District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Ramanathapuram, to accept the surrender of the petitioner/accused and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.382 of 2016 on the file of the respondent No.2.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.K.Anbarasan

Government Advocate (Crl. Side)

O R D E R

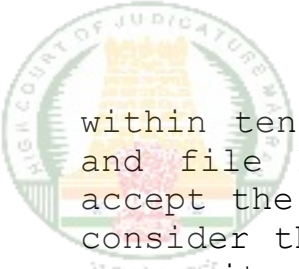
The petitioner seeks a direction to the learned District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Ramanathapuram, to consider the bail application of the petitioner on the day of surrender itself.

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

3. The petitioner is arrayed as accused in Crime No.382 of 2016 for the offences punishable under Sections 448, 294(b), 323, 324, 506(ii) of I.P.C., read with Section 3(1)(r), 3(1)(s) of 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 (Crl. Side) would submit that the injured had already been discharged from the hospital.

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.382 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(Record)

/True copy/

Sub Assistant Registrar

To

1. District and Sessions Judge
(Special Court for Scheduled Castes
and Scheduled Tribes(Prevention of Atrocities)
Act cases, Ramanathapuram.

2.The Superintendent of Police,
Devipattinam,
Ramanathapuram District.

3.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

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

+1 cc to M/s.D.Balamurugapandi, Advocate in SR.No.61867/16

CSL/GSV-PM/SAR-I/24.10.2016:2P/6C

Cr1.O.P.(MD) No.20110 of 2016
20.10.2016