



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P.(MD).No.20210 of 2016

Vijayan

..Petitioner

Vs.

State represented by
Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.492 of 2016).

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the District and Sessions Court, Special Court Exclusive Trial Cases under SC/ST (POA) Act, Sivagangai to consider the bail application of the petitioner to be filed in Cr.No.492 of 2016 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioner : Mr.R.Balamuruganantham

For respondent : Mr.K.Anbarasan

Government Advocate (Criminal side)

ORDER

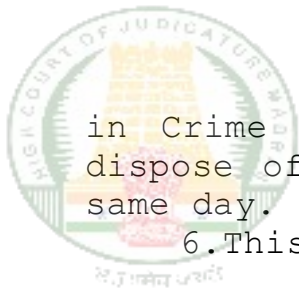
This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

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.492/2016 in respect of the offences under Sections 294(b), 323, 506(ii) of IPC r/w 3(1)(r)(s) (POA) of SC/ST Amendment Ordinance 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 (Cr1. 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 District and Sessions Court, Special Court Exclusive Trial Cases under SC/ST (POA) Act, Sivagangai, 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.492/2016 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(W)

/True copy/

Sub Assistant Registrar(CS)

To

1.The District and Sessions Court,
Special Court Exclusive Trial Cases under SC/ST (POA) Act,
Sivagangai.

2.Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

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

+1cc to Mr.R.Balamurganathan, Advocate in SR.62758

Cr1.O.P(MD)No.20210 of 2016
21.10.2016

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PBK/SK-SKN 09.11.2016 ::2P-5C: