



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.21421 of 2016

Abi @ Abinesh

.. Petitioner

Vs.

The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.403 of 2016)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned I Additional District and Sessions Judge cum P.C.R Court, Thanjavur to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.403 of 2016 on the file of the respondent police on the very same day.

For Petitioner
For respondent

: Mr.B.Jameel Arasu
: Mr.K.Anbarasan
Government Advocate(Criminal side)

ORDER

This application has been filed seeking a direction to the learned I Additional District and Sessions Judge cum P.C.R Court, Thanjavur, to consider the bail application on the day of surrender itself.

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

3.The petitioner is arrayed as accused No.4 in Crime No.403/2016 in respect of the offences under Sections 147, 341, 294(b), 323, 506(i) of I.P.C and Section 3(1)(X) of SC/ST (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.

4.The learned Government Advocate (Crl. 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 Court below, 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.403/2016 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(CSI)

/True Copy/

Sub Assistant Registrar

pm

To

1.The I Additional District and Sessions Judge cum P.C.R Court,
Thanjavur

2.The Inspector of Police,
Papanasam Police Station,
Thanjavur District.

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

+1cc to Mr.B.Jameel Arasu Advocate Sr.No.67990

JAM/16.11.16/CK/SAR I,2p-5c

Cr1.O.P(MD)No.21421 of 2016

10.11.2016