



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

CrI.O.P. (MD) .No.21423 of 2016

Stephansuresh

.. Petitioner

Vs.

1. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

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

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Principal Sessions Judge cum Special Judge for P.C.R Cases, Sivagangai District to consider the bail application of the petitioner/sole accused if any filed by him on his surrender on the same day in Crime No.546 of 2016 on the file of the second respondent police.

For Petitioner : Mr.R.Srinivasan

For respondents : Mr.K.Anbarasan
Government Advocate (Criminal side)

ORDER

This application has been filed seeking a direction to the learned Principal Sessions Judge cum Special Judge for P.C.R Cases, Sivagangai District, to consider the bail application on the day of surrender itself.

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

3. The petitioner is arrayed as accused in Crime No.546/2016 in respect of the offences under Sections 294(b), 324, 506(ii) of I.P.C and Section 3(1)(r) and 3(1)(s) of SC/ST (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 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.546/2016 on the file of the second 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(Records)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Principal Sessions Judge cum Special Judge for P.C.R Cases, Sivagangai District.
- 2.The Deputy Superintendent of Police, Manamadurai, Sivagangai District.
- 3.The Inspector of Police, Manamadurai Police Station, Sivagangai District.
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.R.Srinivasan, Advocate, in SR No.68278.

Crl.O.P(MD)No.21423 of 2016
10.11.2016

pm

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