



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

Crl.O.P. (MD).No.22399 of 2016

Aravindh

.. Petitioner

Vs.

The Inspector of Police,
Namana Samudram Police Station,
Pudukottai District.
(Crime No.158 of 2016)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Learned District & Sessions Judge (P.C.R.Court), Pudukottai District to accept his surrender and to consider his bail application to be filed by him on same day on merits in Crime No.158 of 2016, on the file of the respondent police.

For Petitioner : Mr.A.Arun Prasad
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 (Crl. Side) for the respondents.

3.The petitioner is arrayed as accused in Crime No.158/2016 in respect of the offences under Sections 294(b), 324 and 506(ii) of IPC r/w Section 3 (1)(r)(s) & 3 (2) (Va) of SC/ST Act (POA) Amendment Ordinance 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



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 & Sessions Judge (P.C.R. Court), Pudukottai District, 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.158/2016 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

/TRUE COPY/

Sub Assistant Registrar

To

1. The District & Sessions Judge
(P.C.R. Court), Pudukottai District.
2. The Inspector of Police,
Namana Samudram Police Station,
Pudukottai District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s. Mr. A. Arun Prasad, Advocate, in SR No.72757.

Cr1.O.P (MD) No.22399 of 2016
25.11.2016

am

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