



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2016

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.2301 of 2016

Muniyandi ..Petitioner/Accused No.1
Vs
The State represented by
The Inspector of Police,
Murappanadu Police Station,
Tuticorin District.
(In Cr.No.237 of 2014) .. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct II Additional Sessions Court, Tirunelveli (Special Court for SC & ST Act (PCR Court), to consider the petitioner's bail application on the date of surrender before the Court in respect of Crime No.237/2014 on the file of the respondent and to dispose of his bail application on the same day itself.

For Petitioner :Mr.M.Karunanithi

For Respondent :Mr.K.V.Rajarajan
Government Advocate (Crl.Side)

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned II Additional Sessions Judge, Tirunelveli (Special Court for SC & ST Act (PCR Court) to consider the bail application of the petitioner on the same day on his surrender in Crime No.237 of 2014 pending on the file of the respondent.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 323, 324 and 506(ii) I.P.C. r/w Section 3(1)(x) of S.C. & S.T. (Prevention of Atrocities) Act, 1989 and that in view of the specific bar under Section 18 of the service.ecourt.gov.in/hcservices/ petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.



3. The learned Government Advocate(Crl.Side) takes notice for the respondent and submitted that charge sheet has been filed in P.R.C.No.2 of 2015.

4. 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 learned II Additional Sessions Judge, Tirunelveli (Special Court for SC & ST Act (PCR Court) is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.237 of 2014 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

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To

1. The II Additional Sessions Judge,
Tirunelveli (Special Court for SC & ST Act (PCR Court)

2.The Inspector of Police,
Murappanadu Police Station,
Tuticorin District.

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

+ 1 CC TO MR.M.Karunanithi, ADVOCATE IN SR NO. 11042

GJM/SKS/RR/4.3.16-2p-5C

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