



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2016

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.23233 of 2016

P.Siva

: Petitioner/A3

-vs-

State represented by
Inspector of Police,
Aviyoor Police Station,
Virudhunagar District.

: Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Additional District and Sessions Judge (PCR Court), Virudhunagar, to consider the bail application of the petitioner to be filed in Cr.No.71 of 2016 on the file of the respondent police and to accept their surrender on the same day on merits.

For Petitioners : Mr.G.Karuppasamy Pandian

For Respondent : Mr.A.P.Balasubramani,
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned Additional District and Sessions Judge (PCR Court), Virudhunagar, to consider the bail application of the petitioner/A3, on the same day of his surrender in connection with the case in Crime No.71 of 2016 pending on the file of the respondent police.

2.The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated for the alleged offences under Sections 341, 294(b), 323, 355, 379 (NP) IPC r/w Sections 3(1)(r)(s), 3(2)(Va) of SC/ST Amendment Act, 2015 (Prevention of Atrocities Act), in Crime No.71 of 2016 and that in view of the specific bar under Section 18 of the SC & S.T. (Prevention of Atrocities) Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the present petition for the said prayer.

3.Heard Mr.A.P.Balasubramanian, the learned Government Advocate (Crl.Side), who takes notice for the respondent.



4. Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

The petitioner is directed to surrender before the learned Additional District and Sessions Judge (P.C.R. Court), Virudhunagar, within fifteen days from today and if he filed any bail application in this crime number, learned Additional District and Sessions Judge, (PCR Court), Virudhunagar, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar.

To:

1. The Additional District and Sessions Judge,
(PCR Court), Virudhunagar.
2. The Inspector of Police,
Aviyoor Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.G.Karuppasamy Pandian, Advocate, SR.No. 80810

Cr1.O.P. (MD) No.23233 of 2016
15.12.2016

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