



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.23347 of 2016

Ajith : Petitioner/A1
-vs-

The State rep. by
The Inspector of Police,
Oomatchikulam Police Station,
Oomatchikulam,
Madurai District. : Respondent/Complainant
Crime No.238/2016

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai District, to accept the surrender of the petitioner and consider the petitioner bail application and grant bail on the date of surrender itself in Crime No.238 of 2016, dated 09.12.2016 on the file of the respondent.

For Petitioner : Mr.K.Renganathan

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

O R D E R

This petition has been filed, seeking to direct the learned Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai District, to accept the surrender of the petitioner and consider the petitioner's bail application and grant bail on the date of surrender itself, in Crime No.238 of 2016, dated 09.12.2016 on the file of the respondent.

2.The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated for the alleged offences under Sections 147, 148, 294(b), 506(ii) IPC and Section 3(2)(va) of SC/ST (POA) Amendment Act, 2015, in Crime No.238 of 2016 and that in view of the specific bar under Section 18 of the SC & ST (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 (Cr1.Side), who takes notice for the respondent.

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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 Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Madurai District, within fifteen days from today and if he filed any bail application in this crime number, learned Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai District, 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

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To:

1.The Inspector of Police,
Oomatchikulam Police Station,
Oomatchikulam,
Madurai District.

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

+1cc to Mr.K.Renganathan Advocate Sr.No. 80758

JAM/23.12.16/GSV-PM/SAR 3/2p-4c

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