



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM**Cr1.O.P. (MD) No.23821 of 2016**

Arunachalam

... Petitioner/A4

-vs-

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Oomachikulam,
Madurai District.

2.The Inspector of Police,
Oomachikulam Police Station,
Madurai District.
(Crime No.238 of 2016)

... Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the III Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PRC Court, Madurai, to consider the bail application of the petitioner on the same day of his surrender in Crime No.238 of 2016 on the file of the respondents police.

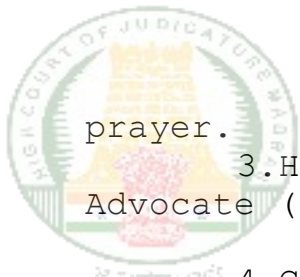
For Petitioner : Mr.S.Muthumalairaja

For Respondents : Mr.A.P.Balasubramanian
Govt. Advocate (Cr1.Side)

O R D E R

This petition has been filed, seeking to direct the learned III Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Madurai, to consider the bail application of the petitioner on the same day of his surrender, in connection with the case in Crime No.236 of 2016 on the file of the respondents police.

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 S.C. & 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. Balasubramani, the learned Government Advocate (Crl. Side) who takes notice for the respondents.

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 III Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Madurai, within fifteen days from today and if he filed any bail application in this crime number, learned III Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Madurai, 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 III Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Madurai.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Oomachikulam, Madurai District.

3. The Inspector of Police,
Oomachikulam Police Station, Madurai District.

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

+1 cc to M/s. S. M. Muthumalairaja, Advocate in SR.No. 83083/16
er

CSL/SKN/SAR-I/29.12.2016: 2P/6C

Crl.O.P. (MD) No.23821 of 2016
23.12.2016