



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2016

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WEB COPY

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.23869 of 2016

J.Sarathkumar

... Petitioner/A5

-vs-

State Rep. by
The Inspector of Police,
Oomatchikulam Police Station,
Madurai District.

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the III Additional District Judge (PCR Court), Madurai, to accept the surrender of the petitioner and consider the bail application on the same day in connection with Crime No.238 of 2016 pending investigation on the file of the respondent police.

For Petitioner : Mr.B.Sundha Sathiyathan

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 III Additional District Judge (PCR Court), Madurai, to accept the surrender of the petitioner and consider the bail application of the petitioner/A5 on the same day, in connection with the case in Crime No.238 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 147, 148, 294(b), 506(ii) IPC and Section 3(2)(va) of SC/St (Prevention of Atrocities) 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.



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 District Judge (P.C.R. Court), Madurai, within fifteen days from today and if he filed any bail application in this crime number, learned III Additional District Judge, (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

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To:

1. The III Additional District Judge,
(PCR Court), Madurai District.
2. The Inspector of Police,
Oomatchikulam Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. B. Sudha Sathiyathan

Advocate Sr. No. 83243

JAM/28.12.16/PV/SAR 2 /2p-5c

Cr1.O.P. (MD) No.23869 of 2016
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