



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P(MD).No.2426 of 2016

Viaya Kumar

.. Petitioner/Accused No.1

Vs.

State rep. by
The Inspector of Police,
Siruganoor Police Station,
Trichy District.
(Crime No. 91 of 2016)

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned I-Additional Sessions Judge (PCR Court), Trichy, Trichy District to accept the surrender of the petitioner and consider the bail application on merits on the date of surrender in Crime No. 91 of 2016 on the file of the respondent police on the very same day.

For Petitioner

:: Mr.M.Pitchai Muthu

For Respondent

:: Mrs.S.Prabha

Government Advocate (Cr1. 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 I-Additional Sessions Judge, (PCR Court), Trichy, Trichy District to consider the bail application of the petitioner on the same day on his surrender in Crime No.91/2016 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 341, 294(b), 324, 307, 506(ii) of I.P.C., r/w 3(1)(X) of S.C. & S.T. (Prevention of Atrocities) Act and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.

3. The learned Government Advocate (Cr1. Side) who takes
[~~https://hcservices.courts.gov.in/hcservices/~~](https://hcservices.courts.gov.in/hcservices/) the respondent would submit that the injured has been absconded from the hospital.



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 I-Additional Sessions Judge (PCR Court), Trichy, Trichy District is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.91 of 2016 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

5. With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(R)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.M.Pitchai Muthu, Advocate Sr.No.8638

akm/16.02.2016/2p-5c/NGM/SS/SAR-I

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