



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P(MD) .No.2486 of 2016

Jaya Kumar

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal Sessions Judge, Virudhunagar District at Srivilliputhur Cum PCR Court (Special Court Constituted under SC & ST Prevention of Atrocities Act 1989) to consider the bail application filed along with the surrender application of the petitioner in Crime No.146/2015 pending on the file of the second respondent Narikudi Police Station, Virudhunagar District on the same day on merits.

For Petitioner

:: Mr.M.Kalamurugappan.

For Respondent

:: Mrs.S.Prabha

Government Advocate (Crl. 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 Principal Sessions Judge, Virudhunagar District at Srivilliputhur Cum PCR Court (Special Court Constituted under SC & ST Prevention of Atrocities Act 1989) to consider the bail application of the petitioner on the same day on his surrender in Crime No.146/2015 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 147, 148, 294(b), 323, 324, 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 (Crl. Side) who takes notice for the respondent would submit that the injured has been discharged 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 Principal Sessions Judge, Virudhunagar District at Srivilliputhur Cum PCR Court (Special Court Constituted under SC & ST Prevention of Atrocities Act 1989) is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.146 of 2015 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 (AE)

/True copy/

Sub Assistant Registrar

To

1. The Principal Sessions Judge (PCR Court),
Virudhunagar District at Srivilliputhur.
2. The Deputy Superintendent of Police,
Virudhunagar District.
3. The Inspector of Police,
Narikudi Police Station, Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/S.M.KALA MURUGAPPAN, Advocate, SR No.8704

Crl. O.P. No.2486 of 2016
12.02.2016

PJL
SH/SKS-RR:19.02.2016:2P/6C