



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.2733 of 2016

WEB COPY

Rathakrishnan

...Petitioner

vs.

State rep.by
The Inspector of Police
Ervadi Police Station
Tirunelveli District
(Crime No.25 of 2016)

...Respondent

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned II Additional District and Sessions Judge, Tirunelveli (PCR Act Cases) to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.25 of 2016.

For Petitioner : Mr.M.Subash Babu

For Respondent : Mr.K.V.Rajarajan, G.A.(Crl.Side)

O R D E R

The learned counsel appearing for the petitioner has submitted that the petitioner has come forward with this petition seeking for a direction to the learned II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli, to consider the bail application of the petitioner on the same day on his surrender in Crime No.25 of 2016, pending on the file of the respondent Police.

2. The learned counsel for the petitioner has also submitted that the petitioner has been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) I.P.C., r/w Section 3(1)(x) of S.C. & S.T. (POA) Act, 1959, 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 (Criminal Side) takes notice for the respondent.

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 II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.25 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 the above observation, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(AE)

Sub Assistant Registrar(CS)



To

1. The II Additional District and
Sessions Judge (PCR Act Cases),
Tirunelveli

2. The Inspector of Police,
Ervadi Police Station,
Tirunelveli District.

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

+1cc to Mr.M.Subash Babu, Advocate in SR.9190

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16.02.2016

KRK

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