



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Criminal Original Petition (MD) No.2775 of 2016

Duraipandi

... Petitioner

vs.

1.State rep.by

The Deputy Superintendent of Police
Samayanallur Police Station
Madurai District

2.The Inspector of Police

Samayanallur Police Station
Madurai District
(Crime No.42 of 2016)

... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned III Additional District and Sessions Judge-cum-P.C.R. (SC/ST Act) Court, Madurai, Madurai District, to consider the bail application on the same day on his surrender in connection with crime No.42 of 2016, on the file of the respondent Police.

For Petitioner : Mr.D.Balamurugapandi

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

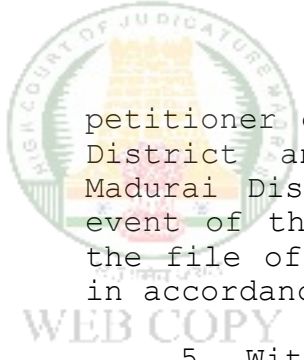
O R D E R

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 III Additional District and Sessions Judge-cum-P.C.R. (SC/ST Act) Judge, Madurai, Madurai District, to consider the bail application of the petitioner on the same day on his surrender in Crime No.42 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 Section 294(b) I.P.C., r/w Section 3(i) of S.C. & S.T. Act, 1989, 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 respondents.

<https://hcservices.courts.gov.in/hcservices/> 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 III Additional District and Sessions Judge-cum-P.C.R. (SC/ST Act) Judge, Madurai, Madurai District, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.42 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(R)

/True Copy/

Sub Assistant Registrar.

To

- 1.The III Additional District and Sessions Judge-cum-P.C.R., (SC/ST Act) Judge, Madurai, Madurai District.
- 2.The Deputy Superintendent of Police, Samayanallur Police Station, Madurai District.
- 3.The Inspector of Police, Samayanallur Police Station, Madurai District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.D.Balamurugapandi, Advocate, SR.No. 9048

Cr1.O.P(MD).No.2775 of 2016
16.02.2016

AM/23.02.2016/NGM.SS/SAR-1/2P/6C