



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition (MD) No.2777 of 2016

Muthukumar

... Petitioner

vs.

State, rep.by its
The Inspector of Police
Temple Police Station
Thiruchendur
Thoothukudi District
(Crime No.7 of 2016)

... Respondent

PRAYER: This petition is filed under Section 482 Cr.P.C., to direct the learned Additional District Sessions Judge-cum-P.C.R.Court, Tirunelveli, to consider the petitioner's bail application and dispose the bail application on the same day if the petitioner surrender before the learned II Additional District Sessions Judge-cum-P.C.R., Court, Tirunelveli, in Crime No.7 of 2016, on the file of the respondent.

For Petitioner : Mr.M.Saravanan

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 Additional District Sessions Judge-cum-P.C.R.Judge, Tirunelveli, to consider the bail application of the petitioner on the same day on his surrender in Crime No.7 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, 341, 294(b), 323, 506(ii) I.P.C., r/w Section 3(1)(x) of S.C. & S.T. (POA) 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 (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 Additional District Sessions Judge-cum-P.C.R.Judge, Tirunelveli, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.7 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

/True copy/

Sub Assistant Registrar

krk

To

1.The Additional District Sessions Judge -cum-P.C.R.Judge,
Tirunelveli.

2.The Inspector of Police, Temple Police Station,
Thiruchendur, Thoothukudi District.

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

+one cc to M/s.R.J.Karthick, Advocate in SR.No.9068/16

CSL/SKS-RR/AR-I/24.02.2016/2P/5C

Cr1.O.P(MD) .No.2777 of 2016
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