



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.2841 of 2016

WEB COPY

Mahesh @ Maheswaran

..Petitioner/A3

Vs.

State represented By
Inspector of Police,
Eruvadi Police Station,
Tirunelveli District
(Crime No.25/2016)

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned II Additional District and Sessions Judge, (PCR Court), Tirunelveli to consider the bail application of the petitioner/accused to be filed in Crime NO.25 of 2016 on the file of the respondent and to accept his surrender on the same day on considering the merits of the case.

For Petitioner :: Mr.G.K.Karuppasamy Pandian

For Respondent :: Mr.K.V.Rajarajan

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 II Additional District and Sessions Judge, (PCR Court), Tirunelveli to consider the bail application of the petitioner on the same day on his surrender in Crime No.25/2016 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 147, 148, 294(b), 323, 324, 307, 506(ii) I.P.C., r/w 3(1)(x) of S.C. & S.T. (Prevention of Atrocities) 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 Additional Public Prosecutor takes notice for the respondent.

4. It is seen that the petitioner is a College student and there was clash between two groups during Kabadi tournament on account of which FIR has been registered and both parties have been injured.

5. 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 Court), 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.

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

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The II Additional District and Sessions Judge, (PCR Court), Tirunelveli
2. The Inspector of Police, Eruvadi Police Station, Tirunelveli District
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.G.Karuppasamy Pandian, Advocate in SR.9414

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cm.

PBK/SK-SKN/SAR-I 18/02/2016 ::2P-5C:: (IT)