



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2016

CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CrI.O.P. (MD) No.3240 of 2016

M.R.Murugeswari

..Petitioner/Accused

Vs

1.The Inspector of Police,
Aravayal Police Station,
Aravayal, Sivagangai District.
(In Crime No.11 of 2016)

2.The Deputy Superintendent of Police,
D.S.P. Office,
Devakottai, Sivagangai District... Respondents/Complainants

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the District and Sessions Judge, (PCR Court), Sivagangai to take on file the petitioner's bail application in Crime No.11 of 2016 on the file of the first respondent police and dispose the same on the same of surrender.

For Petitioner

:Mr.R.Sundar

For Respondent

:Mr.K.V.Rajarajan

Government Advocate (CrI.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 District and Sessions Judge, PCR Court, Sivagangai to consider the bail application of the petitioner on the same day on his surrender in Crime No.11 of 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 294(b), 323 I.P.C. r/w Section 3(1)(x) of S.C. & S.T. (Prevention of Atrocities) 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(CrI.Side) takes notice for the respondents.



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 District and Sessions Judge, PCR Court, Sivagangai is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.11 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.

With this observation, this petition is disposed of accordingly.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Judge, PCR Court, Sivagangai
2. The Inspector of Police,
Aravayal Police Station,
Aravayal, Sivagangai District.
3. The Deputy Superintendent of Police,
D.S.P. Office,
Devakottai, Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.R.Sundar, Advocate Sr.No.10804
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AA/NGM-SS/AR-I/03.03.2016/2p-6c

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