



THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Criminal Original Petition (MD) No.3586 of 2016

Vasimalai

... Petitioner

vs.

1.The State rep by

The Deputy Superintendent of Police,
Usilampatti.2.The Inspector of Police,
Ezhumalai Police Station,
Madurai District.

... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai, to consider the Bail Application on the same day of his surrender if any filed by the Petitioner/A1 in Crime No.171 of 2015 registered by the 2nd respondent herein.

For Petitioner : Mr.R.Gowrishankar

For Respondents : Ms.S.Prabha, 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, (PCR Court), Madurai, to consider the bail application of the petitioner on the same day on his surrender in Crime No.171 of 2015, pending on the file of the 2nd 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, 435 and 307. I.P.C., r/w Section 3(1)(x) of S.C. & S.T. Act, 1989, and Section 3 of TNPPDL 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 respondents and submitted that it is case and counter and counter case has been registered in Crime No.170 of 2015. The petitioner has been implicated offence under Sections 147, 148, 294(b), 323, 324, 435, 307 of I.P.C. and 3(1) of TNPPDL Act.



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 III Additional District and Sessions Judge, (PCR Court), Madurai, is directed to consider the surrender of the petitioner and bail application, in the event of the petitioner filing such petition in Crime No.171 of 2015, on the file of the 2nd 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(Writ)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

jikr

To

- 1.III Additional District and Sessions Judge,
(PCR Court), Madurai
- 2.The Deputy Superintendent of Police,
Usilampatti.
- 3.The Inspector of Police,
Ezhumalai Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.R.Gowrishankar,Advocate Sr No.13617

Cr1.O.P(MD) .No.3586 of 2016
09.03.2016

rg.AAL-MPA/SAR-I 15.03.2016 2P/6C