



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.03.2016**

**CORAM
THE HONOURABLE MR.JUSTICE V.S.RAVI**

Crl.O.P. (MD)No.3653 of 2016

Karthik

..Petitioner/1st Accused

Vs

The State represented by its
The Sub Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram,
Ramanathapuram District.
(Crime No.129 of 2016)

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Principal District and Sessions Judge (PCR Court), Ramanathapuram to consider the bail application of the petitioner on the very same day of his surrender in connection with the Crime No.129 of 2016 on the file of the respondent police.

For Petitioner :Mr.M.S.Jeyakarthik

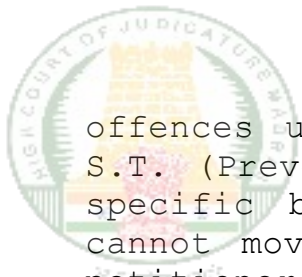
For Respondent :Mr.P.Kandasamy
Government Advocate (Crl.Side)

O R D E R

The learned counsel for the petitioner has submitted that the petitioner has come forward with this petition seeking for a direction to the learned Principal District and Sessions Judge (PCR Court), Ramanathapuram to consider the bail application of the petitioner on the same day on his surrender in Crime No.129 of 2016 pending on the file of the respondent.

2. The case of the prosecution is that the defacto complainant is the security in the Marapanu Park, Ramanathapuram and on 21.02.2016, when he is engaged in the said duty, the petitioner and others have tried to enter into the park, without obtaining the tickets and when the defacto complainant has refused to permit them to enter into the park, the petitioner and others have abused the defacto complainant. On the complaint given by the defacto complainant, a case has been registered.

3. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged



offences under Section 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.

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4. The learned Government Advocate(Crl.Side) takes notice for the respondent and also submits that the injured has already been discharged from the hospital.

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 Principal District and Sessions Judge (PCR Court), Ramanathapuram is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.129 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 Principal District and Sessions Judge (PCR Court),
Ramanathapuram.
2. The Sub Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram, Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.S.Jeyakarthik, Advocate SR.No.11965

CN/GJB-DP/8.03.2016/2P-5C

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