



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2016

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Cr1.O.P. (MD) No.3740 of 2016

Sakthivel

..Petitioner/Sole Accused

Vs.

The State,
Rep. By the Inspector of Police,
Pazhavor Police Station,
Kanyakumari District.
Crime No.9 of 2016.

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Principal District & Sessions Judge (Special Court for SC/ST (POA) Act Cases), Nagercoil to consider the bail application filed by the petitioner herein and pass orders on the same day, in the event of their surrender before the said Court in connection with the case in Crime No.9 of 2016 on the file of the respondent.

For Petitioner : Mr.N.Sathish Babu

For Respondent : Mr.K.V.Rajarajan

Government Advocate (Cr1.Side)

ORDER

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned Principal District & Sessions Judge (Special Court for SC/ST (POA) Act Cases), Nagercoil, to consider the bail application of the petitioner on the same day on his surrender in Crime No.9 / 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 and 506(i) I.P.C., r/w 3(1)(X) of S.C. & S.T. (Prevention of Atrocities) 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 (Crl. Side) takes notice for the respondent and submitted that the injured has been discharged from the hospital.

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 Principal District and Sessions Judge (Special Court for SC/ST (P&A) Act Cases), Nagercoil, is directed to accept the surrender of the petitioner and consider the bail application, in the event of the petitioner filing such petition in Crime No.9 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(W)

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal District & Sessions Judge
(Special Court for SC/ST (POA) Act Cases), Nagercoil.
- 2.The Inspector of Police,
Pazhavor Police Station, Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+lcc to Mr.N.Sathish Babu, Advocate Sr.No.11963

akm/04.03.2016/2p-5c/AAL/MPA/SAR-I

CRL.OP (MD) No.3740 of 2016