



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.3744 of 2016

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Parthasarathy

...Petitioner/Accused No.1

Vs.

State rep. By,
The Inspector of Police,
Kalukumalai Police Station,
Thoothukudi District.
(Crime No.34 of 2016)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the III Additional District and Sessions Court (PCR), Tirunelveli to consider the bail application of the petitioner/accused No.1 on the same day to surrender on merits in Crime No.34 of 2016 on the file of the respondent police.

For Petitioner : Mr.S.Sundarapandian
For Respondent : Mr.K.V.Rajarajan
Government Advocate (Crl.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 III Additional District and Sessions Court (PCR), Tirunelveli, to consider the bail application of the petitioner on the same day on his surrender in Crime No.34 / 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 448, 294(b), 323 and 506(ii) I.P.C. And Section 4 of TNPHW Act 2002 and Section 3(1)(X) and 3(1)(xi) 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 III Additional District and Sessions Court (PCR), Tirunelveli, 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.34 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/

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Sub Assistant Registrar (CS)

To

1.The III Additional District and Sessions Court (PCR),
Tirunelveli.

2.The Inspector of Police,
Kalukumalai Police Station,
Thoothukudi District.u

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.S.Sundarapandian, Advocate in SR.11954

CRL.OP (MD) No.3744 of 2016
02.03.2016

rr.

PBK/GSV-PM/SAR-I 04/03/2016 ::2P-5C:: (IT)