



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition (MD) No.3948 of 2016

Chockalingam Chettiar

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Samayanallur,
Madurai District.

2.State,
rep. by the Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.
(Cr.No.106 of 2016)

... Respondents/Complainant

PRAYER: This petition is filed under Section 482 of Cr.P.C to direct the learned III Additional District Sessions Judge (PCR Court), Madurai to accept the surrender of the Petitioner and consider his bail application, on the same day on merits in relating to Crime No.106 of 2016, dated 20.02.2016, on the file of the respondents.

For Petitioner : Mr.S.Kanagarajan

For Respondent : Ms.S.Prabha,

Government Advocate (Crl.Side)

ORDER

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 Sessions Judge (PCR Court), Madurai, to consider the bail application of the petitioner on the same day on his surrender in Crime No.106 of 2016, pending on the file of the respondent Police.

2. The learned counsel for the petitioner has also submitted that the petitioner has been implicated in this case for the alleged Sections 147, 294(b), 420, 379(NP), 506(i) IPC and Section 3(1)(x) of S.C. & S.T. 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 (Criminal Side) takes notice for the respondent.

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, is directed to accept the surrender and consider the bail application, in the event of the petitioner filing such petition in Crime No.106 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.

5. With the above observation, this criminal original petition is disposed of.

Sd/-
Assistant Registrar(R)

/True Copy/

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
Samayanallur, Madurai District.

2.The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.

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

+lcc to Mr.S.Kanagarajan, Advocate Sr.No.12842

akm/14.03.2016/2p-5c/MP/AN/SAR-I