



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.(MD)No.4249 of 2016

V.Raja

...Petitioner/Accused No.17

Vs.

State

Rep. By the Inspector of Police,
Needamangalam Police Station,
Needamangalam,
Thiruvarur District
(Crime No. 16 of 2015)

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned I Additional District and Sessions Judge (Protection of Civil Rights), Thanjavur to accept the surrender and consider the bail application to be filed by the petitioner on the same day in Crime No.16 of 2015 on the file of the respondent police.

For Petitioner

:: Mr.G.Anbu Saravanan

For Respondent

:: Mrs.S.Prabha

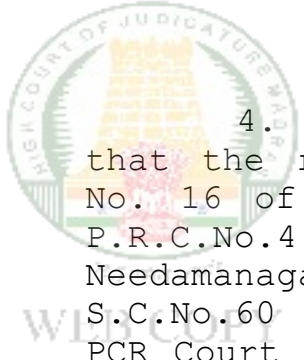
Government Advocate

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned I Additional District and Sessions Judge (Protection of Civil Rights), Thanjavur to consider the bail application of the petitioner on the same day on his surrender in Crime No.16/2015 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 147, 148, 336, 324, 307, 506(ii) I.P.C and r/w Sections 3(i)(x), 3(2)(v a) of SC/ST Amended Ordinance 2014, and Section 3(i) of PPDL 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(Cr1.side) takes notice for the respondent.



4. The learned Government Advocate (Crl.side) submitted that the respondent police has completed investigation in Crime No. 16 of 2015 and filed a final report against 25 persons in P.R.C.No.4 of 2015 before the learned Judicial Magistrate, Needamanagalam. The case was committed to PCR Court, Thanjavur in S.C.No.60 of 2015. At that juncture, the learned Special Judge, PCR Court noticed that A24 Raja and A25 Sathish were not arrested and therefore, the learned Judge sent papers back to the learned Judicial Magistrate, Needamangalam. Now it appears that the learned Judicial Magistrate, Needamangalam has issued warrant against A24 and A25.

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 I Additional District and Sessions Judge (Protection of Civil Rights), Thanjavur is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No. **(*)16 of 2015** on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

6. With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(T&P)

**(*)Corrected as per order dated 11/04/2016
made in Crl.OP(MD)No.4249/2016.**

Sd/-

Assistant Registrar

/True copy/

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

CM

To

To be substituted the order already despatched on 31.03.2016.

- 1.The I Additional District and Sessions Judge
(Protection of Civil Rights), Thanjavur.
 - 2.The Judicial Magistrate, Needamanagalam.
 - 3.The Inspector of Police,
Needamangalam Police Station,Needamangalam,Thiruvarur District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 cc to Mr.G.Anbu Saravanan, Advocate, SR No.17090

Crl. O.P. (MD) No. 4249 of 2016
24.03.2016