



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2016

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

Criminal Original Petition (MD) No.4331 of 2016

B.Ajithkumar

... Petitioner/A3

vs.

1.The Assistant Commissioner of Police,
Law & Order,
Madurai City.

2.State,
rep. by the Inspector of Police,
Mathichiyam Police Station,
Madurai City.

... Respondents

PRAYER: This petition is filed under Section 482 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.107 of 2016, dated 03.02.2016 on the file of the respondents.

For Petitioners : Mr.S.Mahendrapathy
For Respondent : Ms.Prabha, G.A.(Crl.Side)

O R D E R

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.107 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 offences under Sections 147, 148, 294(b), 506(ii) I.P.C., and Section 3(1) of TNPPDL Act r/w Section 3 (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 III Additional District Sessions Judge, (PCR Court), Madurai, is directed to consider the surrender of the petitioner and the bail application, in the event of the petitioner filing such petition in Crime No.107 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(AE)

/True Copy/

Sub-Assistant Registrar

To

1. III Additional District Sessions Judge, (PCR Court), Madurai.
2. The Assistant Commissioner of Police,
Law & Order,
Madurai City.
3. The Inspector of Police,
Mathichiyam Police Station,
Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to M/s.S.Mahendrapathy, Advocate, SR.No.14042
jikr
RL/6C/JGB/DP/21/3/2016

Cr1.O.P(MD).No.4331 of 2016