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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2016

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Criminal Original Petition (MD) No.4690 of 2016

Subramani @ Subramaniyan

... Petitioner/A6

vs.

The State rep by
The Inspector of Police,
Melur Police Station,
Madurai District.
Crime No.233/2016

... Respondent

PRAYER: This petition is filed under Section 482 Cr.P.C to accept the surrender of the petitioner before the Special Court for S.C./S.T (Prevention of Atrocities) Act i.e. the III Additional District and Sessions Judge (Special Court for P.C.R. Cases), at Madurai, in connection with the Crime No.233/2016 on the file of the respondent police and to consider the bail application filed by the petitioner on the same day.

For Petitioner : Mr.M.Palaniraja

For Respondent : Mrs.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 and Sessions Judge, Special Court for P.C.R. Cases, Madurai, to consider the bail application of the petitioner on the same day on his surrender in Crime No.233 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, 294(b), 323, 355, 506(i) of I.P.C., and Section 3 (2) (va) of S.C. /S.T.(Prevention of Atrocities) Amendment 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 (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 and Sessions Judge, (Special Court for P.C.R. Cases), at 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.233 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 III Additional District and Sessions Judge,
(Special Court for P.C.R. Cases),
Madurai.
- 2.The Inspector of Police,
Melur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.Palani Raja, Advocate SR.No.15789

akm/18.03.2016/2p-5c/MP/AN/AR-I