



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2016

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Criminal Original Petition (MD) No.4714 of 2016

Balamurugan

... Petitioner/A2

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.S.Jeyakarthik
For Respondent : Ms.S.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 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(Record)

/True copy/

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

jikr

To

1.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.

+ 1 CC TO MR.M.S.JEYAKARTHIK, ADVOCATE IN SR NO. 15666

Rg.AAL-MPA SAR-I 18.03.2016 2P/5C

Cr1.O.P(MD).No.4714 of 2016
17.03.2016