



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition (MD) No.4812 of 2016

Apple @ Arumugavel

... Petitioner

vs.

State through the
Inspector of Police
Kadambur Police Station
Tuticorin District
(Crime No.19 of 2016)

... Respondent

PRAYER: This petition is filed under Section 482 Cr.P.C to direct the learned II Additional Judge (PCR Court), Tirunelveli, to consider and pass orders on the bail application of the petitioner on the same day in Crime No.19 of 2016, pending on the file of the respondent police.

For Petitioner : Mr.R.Rajamohan

For Respondents : Mrs.S.Prabha, G.A.(Crl.Side)

O R D E R

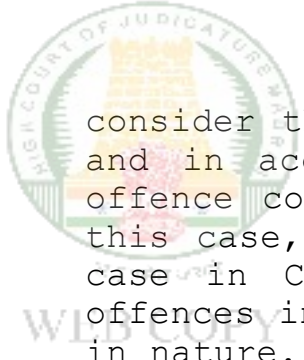
The learned counsel appearing for the petitioner has submitted that the petitioner has come forward with this petition seeking for a direction to the learned II Additional District Judge (PCR Court), Tirunelveli, to consider his bail application on the same day on his surrender in Crime No.19 of 2016, pending on the file of respondent.

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 294(b), 307, 506(ii) I.P.C., r/w Section 3(2)(r) of S.C. & S.T. 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) appearing for the respondent Police has submitted that the injured has been discharged from the hospital after taking treatment.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Normally, this Court would direct the concerned Court to



consider the bail application of the petitioner/accused on merits and in accordance with law on the same day in respect of the offence committed under the provisions of SC/ST Act. However, in this case, on reading of the F.I.R., it is seen that the present case in Crime No.19 of 2016, has been registered for various offences including the one under Section 307 IPC, which is serious in nature. Therefore, this Court is of the view that this is not a fit case to grant the relief sought for by the petitioner.

Accordingly, the criminal original petition is dismissed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

1. Inspector of Police, Kadambur Police Station,
Tuticorin District.

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

RR

CSL /SKS-RR/31.03.2016:2P/3C

Crl.O.P(MD) .No.4812 of 2016
18.03.2016