



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.(MD)No.5659 of 2016

Sahul Hameed

... Petitioner/Accused No.3

Vs.

State, rep. by
The Inspector of Police,
Kadaiyanallur Police Station,
Tirunelveli District.
Crime No.459 of 2016.

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned IInd Additional District and Sessions Judge, Tirunelveli (PCR Act Cases), to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.459 of 2012 on the file of respondent.

For Petitioner : Mr.M.Subash Babu

For Respondent : Mr.A.P.Balasubramani
Government Advocate (Cr1.Side)

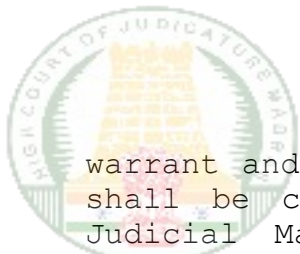
ORDER

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned IInd Additional District and Sessions Judge, Tirunelveli (PCR Act Cases), to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.459 of 2012 on the file of 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 294(b), 323, 325, 506(i) IPC r/w 3(1)(x) of SC/ST (POA) 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 respondents. The learned Government Advocate submitted that non bailable warrant is pending against the petitioner in PRC No.74 of 2013 before the Judicial Magistrate, Tenkasi.

4. In view of the above, the petitioner is directed to surrender before the Judicial Magistrate, Tenkasi, within two weeks from the date of receipt of a copy of this order and file a petition for recall of



warrant and if any petition is filed by the petitioner herein, the same shall be considered on the same day. In the event of the learned Judicial Magistrate, Tenkasi, recalling the warrant, the petitioner shall give a bond for Rs.10,000/- with two sureties under Section 88 of the Code of Criminal Procedure.

With this observation, this petition is disposed of accordingly.

Sd/

Assistant Registrar(Records)

/TRUE COPY/

Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To

- 1.The Judicial Magistrate, Tenkasi.
 - 2.The II Additional District & Sessions Judge,
(PCR Act Cases),
Tirunelveli.
 - 3.The Inspector of Police,
Kadaiyanallur Police Station,
Tirunelveli District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1cc to M/S.M.Subash Babu, Advocate in SR.No.18713

CRL.OP (MD) No.5659 of 2016
01.04.2016

RR

PA/SK-SKN/AR I/06.04.2016/2P/6C