



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.6480 of 2016

WEB COPY

Durai @ Durai Singam

...Petitioner

Vs.

The State through
the Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No.9 of 2016)

...Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Principal District and Sessions Judge, PCR Court, Sivagangai to consider the bail application of the petitioner on the same day on merits in accordance with law in respect of the Crime No.9 of 2016 on the file of the respondent police.

For Petitioner : Mr.S.J.Chakkaravarthy
For Respondent : Mrs.S.Prabha
Government Advocate (Crl.Side)

O R D E R

The learned counsel for the petitioner submitted that the petitioner has come forward with this petition seeking for a direction to the learned Principal District and Sessions Judge, PCR Court, Sivagangai to consider the bail application of the petitioner on the same day on merits and in accordance with law in respect of the Crime No.9 of 2016 on the file of the respondent police.

2. The learned counsel for the petitioner also submitted that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 323, 324, 307 of I.P.C., and Section 3(1)(x) of SC/ST (Prevention of Atrocities) 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(Crl.side) submitted that the injured has been discharged from the hospital.

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 Principal District and Sessions Judge, PCR Court, Sivagangai is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.9 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.



With the above observation, this Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Principal District and Sessions Judge,
PCR Court, Sivagangai.
2. The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.S.J.Chakkaravarthy, Advocate in SR.21549

Cr1.O.P. (MD) No.6480 of 2016
18.04.2016

akv

PBK/SK-SKN/SAR-I 27/04/2016 ::2P-5C::