



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.7038 of 2016

WEB COPY

Kuzhanthaisamy

..Petitioner/Sole Accused

Vs

State represented by its,
Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
Crime No.16 of 2016.

..Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Special Court for PCR cases, Sivagangai District to consider the petitioner's bail application on his surrender on the same day in Crime NO.16 of 2016 on the file of the respondent police.

For Petitioner :Mr.T.Antony Arul Raj

For Respondent :Mrs.S.Prabha

Government Advocate (Crl.Side)

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the Special Court for PCR Cases, Sivagangai District to consider the bail application of the petitioner on the same day on his surrender in Crime No.16 of 2016 pending on the file of the 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 341, 294(b), 323 I.P.C. r/w 3(1)(X) SC/ST 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) takes notice for the respondent and submitted that the injured has already 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 Special Court for PCR Cases, Sivagangai District is directed to accept the surrender of the petitioner and consider the bail application, in the event of the petitioner filing such petition in Crime No.16 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 this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar



To

1. The Special Court for PCR Cases,
Sivagangai.

2. The Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.

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

+1cc to M/s.T.Antony Arulraj, Advocate in SR.23748

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