



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.7080 of 2016

WEB COPY

Amutha

..Petitioner/Accused

Vs

State represented by
The Deputy Superintendent of Police,
Srivaikundam,
Kurumbur Police Station.
(Cr.No.61 of 2016)

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the II Additional District and Sessions Judge, Tirunelveli for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in Crime NO.61 of 2016 on the file of the respondent police.

For Petitioner :Mr.A.P.Muthu Pandian

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 learned II Additional District and Sessions Judge, Tirunelveli for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli to consider the bail application of the petitioner on the same day on her surrender in Crime No.61 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 323, 506(II) I.P.C. and 4 of TNPWHA Act and 3(1)(r,s), 3(2) 5a of SC/ST P.O. Amendment Act 2015 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
<https://hcds.courts.madras.gov.in/Hcds/Service/ServiceDetails.aspx?ServiceId=1> 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 II Additional District and Sessions Judge, Tirunelveli for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli 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.61 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

/True Copy/

Sub-Assistant Registrar

To

- 1.The II Additional District and Sessions Judge, Tirunelveli for SC/ST(Prevention of Atrocities) Act, PCR Court, Tirunelveli.
- 2.The Deputy Superintendent of Police,
Srivaikundam,
Kurumbur Police Station.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.A.P.Muthu Pandian, Advocate, SR.No.24274

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RL/5C/2P/GSV/SARIII/11/5/2016

Cr1.O.P. (MD) No.7080 of 2016

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