



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA**Cr1.O.P.(MD) No.8468 of 2016**

WEB COPY

Shanmugaraj

... Petitioner/A2

-vs-

State Represented by
The Inspector of Police,
Karivalamvanthanallur Police Station,
Tirunelveli District.
(Crime No.146/2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Additional Sessions Judge II (PCR Court), Tirunelveli, Tirunelveli District to consider the bail application of the petitioner in Crime No.146 of 2016 on the same date of surrender and dispose the same on its merits in accordance with law.

For Petitioner : Mr.P.T.Thiraviam

For Respondent : Mr.A.P.Balasubramani
Govt. Advocate (Cr1.Side)**O R D E R**

This petition has been filed, seeking to direct the Additional Sessions Judge II (PCR Court), Tirunelveli, Tirunelveli District to consider the bail application of the petitioner in Crime No.146 of 2016 on the same date of surrender and dispose the same on its merits in accordance with law.

2. Learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 341, 294(b), 323, 324, 379(NH) IPC and Section 3(1)(r)(s), 3(2)(va) of SC/ST (PoA) Amendment Act, 2015 in Crime No.146 of 2016 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. Learned Government Advocate (Cr1.Side) takes notice for the respondent and submits that the injured has been discharged from the hospital and that there is no previous case as against the petitioner.



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 petitioners cannot move any anticipatory bail, the learned Additional Sessions Judge II (PCR Court), Tirunelveli, Tirunelveli District is directed to accept the surrender of the petitioner and consider his bail application, in the event of the petitioner filing such petition in Crime No.146 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 (AS)

/True copy/

Sub Assistant Registrar

To:

1. The Additional Sessions Judge II (PCR Court),
Tirunelveli, Tirunelveli District
2. The Inspector of Police,
Karivalamvanthanallur Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.T.THIRAVIAM, Advocate, SR No.29473

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10.06.2016

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