



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.8536 of 2016

Murugan

... Petitioner/A9

-VS-

State Represented by
The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
(Crime No.84/2016)
(Presently investigated by
Deputy Superintendent of Police,
Kumbakonam)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned 1st Additional Sessions Judge (PCR) Thanjavur Thanjavur District to consider the dispose of the bail application filed by the Petitioner in Crime NO. 84 of 2016 on the file of the Respondent herein on the same day of his surrender.

For Petitioner : Mr.A.Thiruvadi Kumar

For Respondent : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned 1st Additional Sessions Judge (PCR) Thanjavur, Thanjavur District to consider the dispose of the bail application filed by the Petitioner in Crime No.84 of 2016 on the file of the respondent herein on the same day of his surrender.

2. Learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 147, 148, 323 and 324 IPC r/w Section 3(1) (R)(S) of SC/ST (PoA) Amendment Act, 2015 in Crime No.84 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. He further submits that co-accused in this case have been granted the relief by this Court.

3. Learned Government Advocate (Crl.Side) takes notice for the respondent and submits 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 petitioners cannot move any anticipatory bail, the learned 1st Additional Sessions Judge (PCR) Thanjavur, Thanjavur 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.84 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 1st Additional Sessions Judge (PCR) Thanjavur, Thanjavur District.
2. The Inspector of Police, Kumbakonam Taluk Police Station, Thanjavur District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
4. The Deputy Superintendent of Police Kumbakonam.

+1cc to Mr.A.Thiruvadi kumar, Advocate SR NO: 28888

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JA-AAL-MPA-SAR-1/09.6.16/2P-6C

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