



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

Crl.O.P(MD)No.991 of 2016

L.Kumar

: Petitioner/
Sole accused

Vs.

The State rep. by
The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
(Crime No.29 of 2016).

: Respondent/
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the Special Judge for SC/ST (Prevention of Atrocities) Act, the Principal District and Sessions Judge (PCR Unit), Virudhunagar District at Srivilliputhur, to consider the bail application filed by the petitioner herein and pass orders on the same day, if the petitioner surrenders before the said Court in connection with the case in Crime No.29 of 2016 on the file of the respondent.

For Petitioner : Mr.M.Solaisamy
For Respondent : Mr.C.Mayil Vahana Rajendran,
Additional Public Prosecutor.

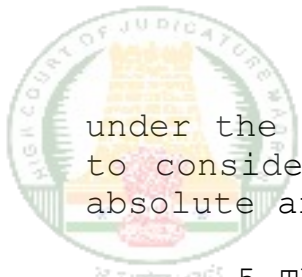
ORDER

The petitioner, who apprehends arrest for the offences punishable under Sections 341, 294(b), 355, 323 and 506(i) I.P.C. read with Section 3(1)(x) of SC/ST (P&A) Act in Crime No.29 of 2016, on the file of the respondent police, moved this petition seeking a direction to the Special Judge for SC/ST (Prevention of Atrocities) Act, the Principal District and Sessions Judge (PCR Unit), Virudhunagar District at Srivilliputhur, to accept the surrender of the petitioner and consider the bail application on the same day on merits.

2.I have heard the counsel appearing on either side and perused the records.

3.The Additional Public Prosecutor strongly opposed the relief sought for by the petitioner.

4.A cursory look at the offences would reveal that some of the offences are grave in nature, including the one registered



under the Special Enactment. Therefore, it is for the Trial Court to consider as to whether initial detention of the petitioner is absolute and warranted on his surrender before it.

5. Therefore, the Special Judge for SC/ST (Prevention of Atrocities) Act, the Principal District and Sessions Judge (PCR Unit), Virudhunagar District at Srivilliputhur is directed to accept the surrender of the petitioner and consider his bail application on the very same day, purely on merits and in accordance with law.

6. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar (Record)

/True copy/

Sub Assistant Registrar (CS)

Madurai Bench of Madras High Court,
Madurai.

smn

To

1. The Special Judge for SC/ST (Prevention of Atrocities) Act,
the Principal District and Sessions Judge (PCR Unit),
Virudhunagar District at Srivilliputhur.

2. The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.

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

+1 cc to Mr. M. Solaisamy, Advocate SR No. 3896

ORDER MADE IN
Crl.O.P (MD) No. 991 of 2016
20.01.2016

rg.AAL-MPA/SAR-II 25.01.2016

2P/5C