



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.(MD) No.2003 of 2016

Thavasi

.. Petitioner

Vs.

State rep. By
The Special Sub-Inspector of Police,
Sholavandan Police Station,
(In Crime No. 16 of 2016)
Madurai District.

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned III Additional District Sessions Judge (PCR Court), Madurai (Special Court) under the SC/ST Prevention of Atrocities Act, 1989 to accept the surrender of the petitioner and to dispose of the bail application of the petitioner in connection with Crime No. 16 of 2016 pending investigation on the file of the respondent on merits on the same day.

For Petitioner :: Mr.A.Sulaiha Farveen

For Respondent :: Mr.C.Mayil Vahana Rajendran
Additional Public Prosecutor

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 III Additional District Sessions Judge (PCR Court), Madurai (Special Court) under the SC/ST Prevention of Atrocities Act, 1989 to consider the bail application of the petitioner on the same day on his surrender in Crime No.16/2016 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), 223, 506(i) of I.P.C., r/w 3(1)(x) of S.C. & S.T. (Prevention of Atrocities) 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 Additional Public Prosecutor takes notice for the respondent.

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 III Additional District Sessions Judge (PCR Court), Madurai (Special Court) under the SC/ST Prevention of Atrocities Act, 1989 is directed to 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.

5. With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar (AS)

//True Copy//

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

To,

1. The III Additional District Sessions Judge (PCR Court), under the SC/ST Prevention of Atrocities Act, 1989, Madurai (Special Court).
 2. The Principal District & Sessions Judge, Madurai.
 3. The Special Sub-Inspector of Police,
Sholavandan Police Station, Madurai District.
 4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1cc to M/S.A. Sulaiha Farveen, Advocate in SR.No.7054

Cr1. O.P. (MD) No.2003 of 2016
04.02.2016

krk/CM

PA/SK-SKN/SAR I/09.02.2016/2P/6C