



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.04.2017
CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.1473 of 2017

Anand : Petitioner

Vs.

1. The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2. State rep. by
The Inspector of Police,
Sindhupatti Police Station,
Madurai District.
(Cr.No.238 of 2016).

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Third Additional District Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioners and consider his bail application on the same day on merits in relating to Crime No.238 of 2016, dated 29.10.2016 on the file of the respondents.

For Petitioner : Mr.S.Mahendrapathy
For Respondents : Mr.A.P.Balasubramani,
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 Third Additional District Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.238 of 2016 pending on the file of the respondent police.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(ii) of the Indian Penal Code and Section 3(2)(va) of SC/ST (Prevention of Atrocities) 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 (Criminal side) takes notice for the respondents 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 petitioner cannot move any anticipatory bail, the petitioner is directed to surrender before the learned Third Additional District Sessions Judge (PCR Court), Madurai, in respect of Crime No.238 of 2016 on the file of the respondent police, within two weeks from the date of receipt of a copy of this order and on the petitioner's surrender and filing bail application in Crime No.238 of 2016, the learned Third Additional District Sessions Judge (PCR Court), Madurai, in turn, is directed to accept his surrender and consider his bail application on merits and in accordance with law on the same day.

5. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Third Additional District Sessions Judge
(PCR Court), Madurai.

2. The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

3. The Inspector of Police,
Sindhupatti Police Station,
Madurai District.

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

+1cc to Mr.S.Mahendrapathy, Advocate, SR.50466

Order made in
Crl.O.P. (MD) No.1473 of 2017
Dated: 05.04.2017

SML

KK/RSK/SAR3/12.04.2017-2P-6C

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