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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2017

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.1535 of 2017

K.Prabu : Petitioner/A22

-vs-

1.State rep. by
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thirupathur Taluk,
Sivagangai District.

2.State rep. by
The Inspector of Police,
S.V.Mangalam,
Sivagangai District. : Respondents/Complainants
(Crime No.4/2017)

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Court for SC/ST (Prevention of Atrocity) Act, 1989, Sivagangai, to consider the bail application of the petitioner on the same day of his surrender in Crime No.4 of 2017 on the file of the respondent police and pass such further or other orders.

For Petitioner : Mr.R.Senthilkumar

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

O R D E R

This petition has been filed, seeking to direct the learned Special Court for SC/ST (Prevention of Atrocity) Act, 1989, Sivagangai, to accept the surrender of the petitioner and to consider his bail application on the same day in connection with Crime No.4 of 2017 on the file of the respondents police.

2.The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated for the alleged offences under Sections 143, 147, 294(b), 323, 324, 506(ii) of IPC, section 4 of TN Prohibition of Harassment of Woman Act, 2002 and section 3(1) of Prevention of Damage of Public Property Act, 1984 r/w 3(1)(ii) of SC/ST (Prevention of Atrocities) Act, 1989, in Crime No.4 of 2017 and that in view of the specific bar under Section 18 of the SC &

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S.T. (Prevention of Atrocities) Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the present petition for the said prayer.

3.Heard Mr.A.P.Balasubramani, learned Government Advocate (Crl.Side) who takes notice for the respondents.

4.Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

> The petitioner is directed to surrender before the learned Special Court for SC/ST (Prevention of Atrocity) Act, 1989, Sivagangai, within fifteen days from today and if he filed any bail application in this crime number, the learned Special Court for SC/ST (Prevention of Atrocity) Act, 1989, Sivagangai, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To:

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thirupathur Taluk,
Sivagangai District.

2.The Inspector of Police,
S.V.Mangalam,
Sivagangai District.

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

+1CC to M/S.D.Senthil Kumar,Advocate, SR.No. 7648

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