



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2017

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.1641 of 2017

Rajeshwaran : Petitioner/A5
-vs-

1.The Deputy Superintendent of Police,
Alangulam Division,
Tirunelveli District.

2.The State rep. by
The Inspector of Police,
Uthumalai Police Station,
Tirunelveli District.

: Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure,praying to direct the learned II Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Tirunelveli District, to accept the surrender of the petitioner and consider the petitioner bail application and grant bail on the date of surrender itself in Crime No.15 of 2017, dated 16.01.2017.

For Petitioner : Mr.S.Lenin Prabu

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

O R D E R

This petition has been filed, seeking to direct learned II Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli District, to consider the bail application of the petitioner/A5 on the same day of his surrender in connection with the case in Crime No.15 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 offence under Sections 147, 148, 294(b), 355, 323 and 506(ii) IPC r/w Sections 3(1)(x) of SC/St Amendment Act, in Crime No.15 of 2017 and that in view of the specific bar under Section 18 of the



SC & 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 II Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Tirunelveli District, within fifteen days from today and if he filed any bail application in this crime number, learned II Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Tirunelveli District, 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 (CS II)

/True Copy/

Sub Assistant Registrar

To:

1. The Deputy Superintendent of Police,
Alangulam Division,
Tirunelveli District.

2. The Inspector of Police,
Uthumalai Police Station,
Tirunelveli District.

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

+1cc to Mr.S.Lenin Prabu, Advocate SR.No.8331

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SM:BS:21.02.2017:2p/5c