



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

WEB COPY

Crl.O.P. (MD) No.2003 of 2017

Prasath @ Appukutty

: Petitioner

Vs.1. The Deputy Superintendent of Police,
Muthupettai, Tiruvarur District.2. State rep. by
Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
(Cr.No.415/2016).

: Respondents

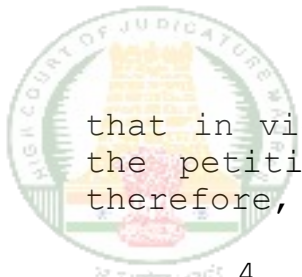
Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned First Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.415 of 2016, dated 14.11.2016 on the file of the respondent police.

For Petitioner
For Respondents: Mr.S.Deenadhayalan
: Mr.A.P.Balasubramani,
Government Advocate (Crl.side)**ORDER**

This petition has been filed seeking for a direction to the learned First Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.415 of 2016 pending on the file of the respondent police.

2. Today, when the matter was taken up for hearing, the learned counsel for the petitioner fairly brought to the notice of this Court that this is the second application and in the earlier application in Crl.O.P.(MD)No.226 of 2017, this Court had passed orders on 09.01.2017, but, whereas, his Clerk had failed to apply for a certified copy of the order, resulting in the petitioner not being able to comply with the said order.

3. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b), 323, 506(i) of the Indian Penal Code and Section 3(1)(r), 3(1)(s) and 3(2)(v-a) of Scheduled Castes and Scheduled Tribes (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.

4. The learned Government Advocate (Criminal side) takes notice for the respondents.

5. 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 First Additional District and Sessions Judge (PCR Court), Thanjavur, in respect of Crime No.415 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.415 of 2016, the learned First Additional District and Sessions Judge (PCR Court), Thanjavur, in turn, is directed to accept his surrender, consider his bail application on merits and in accordance with law on the same day.

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

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The First Additional District and Sessions Judge
(PCR Court), Thanjavur.
 2. The Deputy Superintendent of Police,
Muthupettai,
Tiruvarur District.
 3. The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO Mr.S.DEENADHAYALAN, ADVOCATE IN SR No. 13935

SML

TE/SKN-RSK : 23/03/2017 : 2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

Order made in
Crl.O.P. (MD) No.2003 of 2017
09.03.2017