



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2017

CORAM

**THE HON'BLE MR. JUSTICE P.N. PRAKASH**

Crl.O.P.(MD) No.2301 of 2017

WEB COPY

Ramesh

... Petitioners/A1

-vs-

1. The Deputy Superintendent of Police,  
Andipatti, Theni District.

2. The State Rep. by its  
The Inspector of Police,  
Andipatti Police Station,  
Theni District.

(Crime No.296 of 2016)

.. Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Principal District Sessions Judge for PCR cases, Theni to accept the surrender of the petitioner and to consider his bail application on the same day in accordance with law of his surrender in connection with Crime No. 296 of 2016 on the file of the Inspector of Police, Andipatti Police Station, Theni District.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.K.Anbarasan

Govt. Advocate (Crl.Side)

### **O R D E R**

This petition has been filed, seeking to direct the learned Principal District Sessions Judge for PCR cases, Theni to accept the surrender of the petitioner and to consider his bail application on the same day in accordance with law of his surrender in connection with Crime No. 296 of 2016 on the file of the Inspector of Police, Andipatti Police Station, Theni District.

2. Learned counsel for the petitioner submitted that the petitioner has been implicated in this case for the alleged offences under Sections 452, 323 and 506(i) IPC and Sections 3 and 4 of the Prohibition of Charging Exorbitant Interest Act, 2003 and Section 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Amendment and Ordinance Act, 2014 in Crime No.296 of 2016 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. Heard the learned Government Advocate (Crl.Side) appearing for the State.

4. It is seen that the petitioner was earlier granted the same relief in Crl.O.P.(MD) No.13883 of 2016 on 05.08.2016 by this Court, but he was not able to comply with the condition, in view of the fact that he was posted at Kashmir, as he is a Jawan in Indian Army.

5. Therefore, 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 petitioners cannot move any anticipatory bail, the petitioner is directed to surrender before the learned learned Principal District Sessions Judge for PCR cases, Theni in respect of Crime No.296 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.296 of 2016, learned Principal District Sessions Judge for PCR cases, Theni, in turn, is directed to accept his surrender and consider his bail application on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

Sd/-  
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Principal District Sessions Judge for PCR cases,  
Theni
2. The Deputy Superintendent of Police,  
Andipatti, Theni District.
3. The Inspector of Police,  
Andipatti Police Station,  
Theni District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.B.Jeyakumar, Advocate, Sr No.17815

Crl.O.P.(MD) No.2301 of 2017  
24.03.2017