



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No. 2413 of 2017

Venkatesh

: Petitioner

Vs.

1. State rep. by,
The Deputy Superintendent of Police,
Samayanallur (Sub-Division),
Madurai District.

2. The Inspector of Police,
Vadipatti Police Station,
Madurai District.
(Crime No.96 of 2017).

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Third Additional Sessions Court (PCR), Madurai, Madurai District, to accept the surrender of the petitioner and consider the bail application on merits on the date of surrender in Crime No.96 of 2017 on the file of the second respondent police on the very same day.

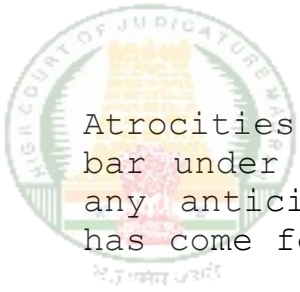
For Petitioner : Mr.M.Pitchai Muthu

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 Sessions Judge (PCR), Madurai, Madurai District, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.96 of 2017 pending on the file of the second respondent police.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offence under Sections 147, 294(b), 323, 341 and 336 of the Indian Penal Code r/w 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 learned Third Additional Sessions Judge (PCR), Madurai, Madurai District, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.96 of 2017 on the file of the second respondent, and dispose of the same on merits and in accordance with law on the same day.

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

Sd/-

Assistant Registrar (CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Third Additional Sessions Judge (PCR),
Madurai, Madurai District.
2. The Deputy Superintendent of Police,
Samayanallur (Sub-Division),
Madurai District.
3. The Inspector of Police,
Vadipatti Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.M.Pitchaimuthu, ADVOCATE, SR NO: 13027

**Order made in
Crl.O.P. (MD) No.2413 of 2017
Dated: 07.03.2017**