

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 08.03.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH**Crl.O.P. (MD)No.2487 of 2017**

Palanikumar : Petitioner/Sole Accused

Vs.

The State
By the Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
(Crime No.34 of 2017).

: Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal Sessions Judge (Special Court for PCR Cases), Sivagangai, to consider his bail application on the same day of his surrender in respect of Crime No.34 of 2017 on the file of the respondent pending investigation.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.K.Anbarasan,
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 Principal Sessions Judge (Special Court for PCR Cases), Sivagangai, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.34 of 2017 pending on the file of the respondent police.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 341, 294(b), 323 and 506(i) of the Indian Penal Code and Sections 3(1)(r) and 3(1)(s) 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.

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 Principal Sessions Judge (Special Court for PCR Cases), Sivagangai, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.34 of 2017 on the file of the 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(CO)

/True copy/

Sub Assistant Registrar

To

- 1.The Principal Sessions Judge
(Special Court for PCR Cases),
Sivagangai.
- 2.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to M/s.D.Venkatesh, Advocate in SR.No. 13633

SML

CSL/PM-PN/17.03.2017 : 2P/5C

Order made in
Cr1.O.P. (MD) No.2487 of 2017

Dated: 08.03.2017