

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

DATED: 10.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH**Cr1.O.P. (MD) No.2614 of 2017**

Gowtham

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Chathrakudi Police Station,
Ramanathapuram District.
(Crime No.44 of 2017).

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District Judge, Ramanathapuram (Special Court for SC/ST Act Cases), to consider the Bail application of the petitioner in Cr.No.44 of 2017 on the same date of surrender and dispose the same on its merits in accordance with law.

For Petitioner : Mr.D.Senthil

For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Cr1.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 Principal District Judge (Special Court for SC/ST Act Cases), Ramanathapuram, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.44 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 147, 148, 294(b), 324 and 506(ii) of the Indian Penal Code and Section 3(1)(r), 3(1)(s) of Scheduled Caste 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.

3. The learned Government Advocate (Criminal side) takes notice for the respondents and submitted that A1 and A5 were already arrested and 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 petitioner is directed to surrender before the Principal District Judge (Special Court for SC/ST Act Cases), Ramanathapuram, in respect of Crime No.44 of 2017 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.44 of 2017, the Principal District Judge (Special Court for SC/ST Act Cases), Ramanathapuram, in turn, is directed to accept his surrender, consider his bail application 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 Principal District Judge,
(Special Court for SC/ST Act Cases),
Ramanathapuram.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

3.The Inspector of Police,
Chathrakudi Police Station,
Ramanathapuram District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1 cc to MR.D.SENTHIL, Advocate SR.No.13851

Order made in
Crl.O.P. (MD) No.2614 of 2017
10.03.2017