



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.2943 of 2017

Arun

: Petitioner

Vs.

1. The Deputy Superintendent of Police
Oomatchikulam Sub Division
Madurai District.

2. The Sub Inspector of Police
Othakkadai Police Station
Madurai District
In Cr.No.127 of 2017

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned III Additional District and Sessions Court (PCR), Madurai District, to consider his bail application to be filed by the petitioner on his surrender in Crime No.127/2017 on the file of the respondent police on the same day on merits.

For Petitioner : M/s.V.Vijayasethupathy
For Respondents : 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 III Additional District and Sessions Court (PCR), Madurai District, to consider his bail application to be filed by the petitioner on his surrender in Crime No.127/2017 on the file of the respondent police on the same day on merits.

2. 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 IPC and 3(2)(Va) of the 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 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 petitioner is directed to surrender before the learned III Additional District and Sessions Court (PCR), Madurai District, in respect of Crime No.127 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.127 of 2017, the learned III Additional District and Sessions Court (PCR), Madurai District, in turn, is directed to accept his surrender, consider his bail application on merits and in accordance with law on the same day.

5. With the above direction, this petition is disposed of.

Sd/

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.

To

1. The III Additional District &
Sessions Judge, (PCR Court)
Madurai

2.The Deputy Superintendent of Police
Oomatchikulam Sub Division
Madurai District.

3.The Sub Inspector of Police
Othakkadai Police Station
Madurai District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.V.Vijaya Sethupathi, Advocate, SR.No. 15314

Order made in
Cr1.O.P.(MD)No.2943 of 2017
Dated: 16.03.2017