



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2017

CORAM

THE HON'BLE MR.JUSTICE B.GOKULDAS

Crl.O.P. (MD) .No.328 of 2017

Marimuthu

... Petitioner/Accused Nos.5

-Vs-

State through,
The Inspector of Police,
Parthipanoor Police Station,
Ramanathapuram District.
(Crime No.353 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned District Judge (PCR), Ramanathapuram, to consider the bail application of the petitioner/Accused No.5 in Cr.No.353 of 2016, on the file of the Respondent Police on the same day of surrender, on merits.

For Petitioner : Mr.K.Sudalaiyandi

For Respondent : Mrs.S.Prabha

Government Advocate (Crl. Side)

O R D E R

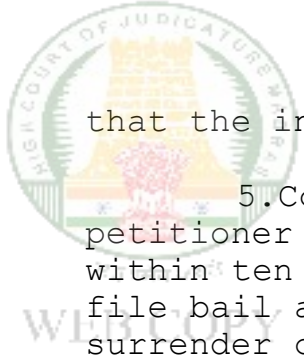
The petitioner seeks a direction to the learned District Judge (PCR), Ramanathapuram, to consider the bail application of the petitioner on the day of surrender itself.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

3. The petitioner is arrayed as accused No.5 in Crime No.353 of 2016 for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506 (ii) of I.P.C., r/w Section 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, and that in view of the specific bar contained in Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come up with this petition.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate (Crl. Side) would submit



that the injured had already been discharged from the hospital.

5. Considering the facts and circumstances of the case, the petitioner is directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioner in Crime No.353 of 2016 and consider the petitioner's bail application and dispose of the same on merits and in accordance with law, on the same day of his surrender.

6. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Judge (PCR),
Ramanathapuram.
2. The Inspector of Police
Parthipanoor Police Station
Ramanathapuram District
(Crime No.353 of 2016)
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.K.SUDALAIYANDI, ADVOCATE IN SR No. 2055

PJL

TE/PM-AMI/SAR-II : 20/01/2017 : 2P/5C

Cr1.O.P. (MD) No.328 of 2017
11.01.2017