



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

Crl.O.P. (MD)No.3434 of 2017

Subbaiah : Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.

2.State,
rep. by Inspector of Police,
Mallankinaru Police Station,
Virudhunagar District.

Cr.No.54 of 2017).

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned District and Sessions Judge (PCR Court), Virudhunagar District at Srivilliputhur, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.54 of 2017, dated 07.03.2017 on the file of the respondent police.

For Petitioner : Mr.M.Thangapandian

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 District and Sessions Judge (PCR Court), Virudhunagar District at Srivilliputhur, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.54 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 294(b), 323, 506(i) of the Indian Penal Code and Section 3(1)(r)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 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 petitioner is directed to surrender before the learned District and Sessions Judge (PCR Court), Virudhunagar District at Srivilliputhur, in respect of Crime No.54 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.54 of 2017, the learned District and Sessions Judge (PCR Court), Virudhunagar District at Srivilliputhur, in turn, is directed to accept his surrender and 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 (RECORDS)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The District and Sessions Judge
(PCR Court), Virudhunagar District
at Srivilliputhur.

2.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.

3.The Inspector of Police,
Mallankinaru Police Station,
Virudhunagar District.

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

+1 CC TO MR.M.THANGAPANDIAN,ADVOCATE,SR NO.16986

sml

MAS/RR/SAR2:28.03.2017:2P-6C

Order made in
Crl.O.P. (MD)No.3434 of 2017
Dated: 23.03.2017