



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

CrI.O.P. (MD)No.3448 of 2017

Raghavan @ Vijayaraghavan : Petitioner/Sole Accused

Vs.

The State Rep. by
Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.
(Cr.No.161 of 2017).

: Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act -cum- the Principal District and Sessions Judge (PCR Unit), Virudhunagar District at Srivilliputhur to consider the bail application filed by the petitioner herein and pass orders on the same day, if the petitioner surrenders before the said court in connection with the case in Crime No.161 of 2017 on the file of the respondent.

For Petitioner : Mr.M.Solaisamy
For Respondent : Mr.A.P.Balasubramani,
Government Advocate (CrI.side)

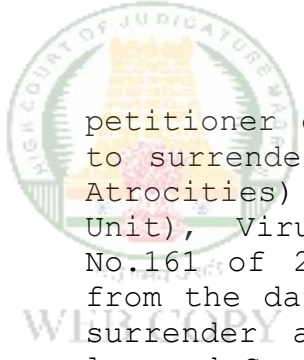
O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned Special Judge for SC/ST (Prevention of Atrocities) Act -cum- the Principal District and Sessions Judge (PCR Unit), 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.161 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), 506(i) of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of Amendment Ordinance 2014 of SC/ST (POA) 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 respondent.

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 Special Judge for SC/ST (Prevention of Atrocities) Act -cum- the Principal District and Sessions Judge (PCR Unit), Virudhunagar District at Srivilliputhur, in respect of Crime No.161 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.161 of 2017, the learned Special Judge for SC/ST (Prevention of Atrocities) Act -cum- the Principal District and Sessions Judge (PCR Unit), 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(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Special Judge for SC/ST (Prevention of Atrocities) Act
-cum- the Principal District and Sessions Judge
(PCR Unit), Virudhunagar District at
Srivilliputhur.

2.The Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.

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

+1cc to Mr.M.Solaisamy,Advocate,SR.17989

Order made in
Cr1.O.P. (MD)No.3448 of 2017
Dated: 24.03.2017

SML

KK-MMS-SAR2-28.03.2017-2p-5c