



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2017

CORAM:

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD)No.3451 of 2017

Japargan : Petitioner/A2

Vs.

1.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

2.The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.
(Crime No.52 of 2017).

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the District and Sessions Court [Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989], Ramanathapuram, to accept the surrender of the petitioner/accused No.2 and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.52 of 2017 on the file of the second respondent police.

For Petitioner : Mr.D.Balamurugapandi

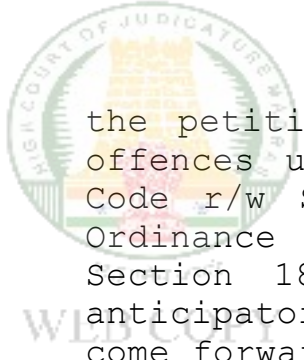
For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Cr1.side)

ORDER

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the District and Sessions Court [Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989], 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.52 of 2017 pending on the file of the respondent police.

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

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, 294(b) and 323 of the Indian Penal Code r/w Sections 3(1)(r) and 3(1)(s) of SC/ST (POA) Amendment Ordinance Act, 2014, 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.

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 District and Sessions Court [Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989], Ramanathapuram, in respect of Crime No.52 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.52 of 2017, the District and Sessions Court [Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989], Ramanathapuram, 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)

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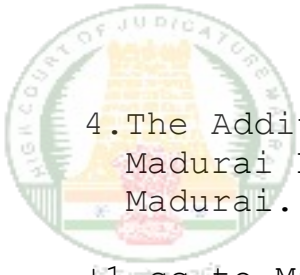
Sub Assistant Registrar

To

1.The District and Sessions Court
[Special Court for Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities)
Act, 1989], Ramanathapuram.

2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

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



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

+1 cc to Mr.D.Balamurugapandi , Advocate in SR.No. 17446

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SML

AE/RR/04.04.2017/3P/6C

Order made in
Cr1.O.P. (MD) No.3451 of 2017
Dated: 24.03.2017