



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.3469 of 2017

Jeyapandi : Petitioner/Sole Accused

Vs.

1. The State represented by its
The Deputy Superintendent of Police,
Nilakottai, Dindigul District.

2. The Sub Inspector of Police,
Virusvedu Police Station,
Dindigul District.
In Crime No.18 of 2017.

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District and Sessions Judge [Special Court for SC/ST (Prevention of Atrocities) Act], Dindigul, to consider the bail application of the petitioner on the same day of his surrender itself in Crime No.18 of 2017 on the file of the second respondent police.

For Petitioner : Mr.P.Kanirajan
For Respondents : Mr.A.P.Balasubramani,
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 Principal District and Sessions Judge [Special Court for SC/ST (Prevention of Atrocities) Act], Dindigul, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.18 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 and 506(i) of the Indian Penal Code r/w Sections 3(1)(r), (S) and 3(2)(Va) 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 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 Principal District and Sessions Judge [Special Court for SC/ST (Prevention of Atrocities) Act], Dindigul, in respect of Crime No.18 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.18 of 2017, the learned Principal District and Sessions Judge [Special Court for SC/ST (Prevention of Atrocities) Act], Dindigul, 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 Principal District and Sessions Judge
[Special Court for SC/ST (Prevention of Atrocities) Act],
Dindigul.
2. The Deputy Superintendent of Police,
Nilakottai,
Dindigul District.
3. The Sub Inspector of Police,
Virusveedu Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.D.S.HAROON RASHEED, ADVOCATE IN SR No. 17449

SML

TE/RR : 04/04/2017 : 2P/6C

Order made in
Crl.O.P. (MD) No.3469 of 2017
Dated: 24.03.2017