



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3486 of 2017

Muthu : Petitioner

Vs.

The Sub-Inspector of Police,
M.Kallupatti Police Station,
Madurai District.
in Cr.No.42 of 2017.

: Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Third Additional Sessions Judge (PCR), Madurai, Madurai District, to accept the surrender of the petitioner in Crime No.42 of 2017 under Sections 294(b), 323, 324, 506(ii) of the Indian Penal Code and 3(2)(Va) of SC/ST (POA) Act, on the file of the respondent and dispose the bail application to be filed by the petitioner on the same day itself on merits.

For Petitioner : Mr.V.Maharajan

For Respondent : 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 Third Additional Sessions Judge (PCR), Madurai, Madurai District, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.42 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, 324, 506(ii) of the Indian Penal Code 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 respondent 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 Third Additional Sessions Judge (PCR), Madurai, Madurai District, in respect of Crime No.42 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.42 of 2017, the learned Third Additional Sessions Judge (PCR), Madurai, Madurai District, 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(RTI)

/True copy/

Sub Assistant Registrar

To

1.The Third Additional Sessions Judge (PCR),
Madurai, Madurai District.

2.The Sub-Inspector of Police,
M.Kallupatti Police Station,
Madurai District.

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

+1 cc to Mr.V.Maharajan , Advocate in SR.No. 17963

SML

AE/SKN/RSK/SAR2/05.04.2017/2P/5C

Order made in
Cr1.O.P. (MD)No.3486 of 2017
Dated: 24.03.2017