



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3575 of 2017

Dharmaraj : Petitioner/Sole Accused

Vs.

1. The Deputy Superintendent of Police,
Vallam,
Thanjavur District.

2. State, rep. by
Inspector of Police,
Tamil University Police Station,
Thanjavur District.
(Cr.No.58 of 2017).

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned First Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.58 of 2017, dated 14.03.2017 on the file of the respondent police.

For Petitioner : Mr.D.Ramesh Kumar

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 First Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.58 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), 352 of the Indian Penal Code and Section 4 of Women Harassment Act r/w Section 3(1)(s) 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 no one sustained injury in the alleged occurrence.

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 First Additional District and Sessions Judge (PCR Court), Thanjavur, in respect of Crime No.58 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.58 of 2017, the learned First Additional District and Sessions Judge (PCR Court), Thanjavur, 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 First Additional District and Sessions Judge (PCR Court), Thanjavur.
- 2.The Deputy Superintendent of Police, Vallam, Thanjavur District.
- 3.The Inspector of Police, Tamil University Police Station, Thanjavur District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.D.Ramesh Kumar , Advocate in SR.No. 18010

SML

AE/SKN RSK/SAR4/07.04.2017/2P/6C