



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.04.2017
CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3749 of 2017

Kannan

: Petitioner

Vs.

State rep. by

1. The Deputy Superintendent of Police,
Manamadurai Division,
Sivagangai District.

2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.317 of 2015).

: Respondents

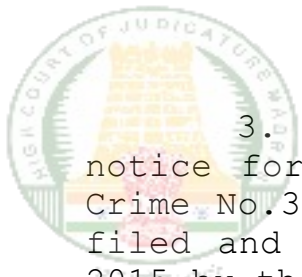
Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Sessions Judge, Exclusive Trial for PCR Cases, Sivagangai, to consider the bail application of the petitioner to be filed in Crime No.317 of 2015 on the file of the respondent police and to accept his surrender on the same day on merits.

For Petitioner : Mr.S.Valmekanathan
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 Sessions Judge, Exclusive Trial for PCR Cases, Sivagangai, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.317 of 2015 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 of the Indian Penal Code and Section 3(1)(r)(s) of SC/ST (Prevention of Atrocities Act) Amendment 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 and submits that the investigation in Crime No.317 of 2015 has been completed and charge sheet has been filed and the same has also been taken on file as P.R.C.No.68 of 2015 by the learned Judicial Magistrate, Manamadurai.

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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 Sessions Judge, Exclusive Trial for PCR Cases, Sivagangai, in respect of Crime No.317 of 2015 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.317 of 2015, the learned Sessions Judge, Exclusive Trial for PCR Cases, Sivagangai, 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. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Sessions Judge, Exclusive Trial for PCR Cases,
Sivagangai.
 - 2.The Deputy Superintendent of Police,
Manamadurai Division,
Sivagangai District.
 - 3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr.S.Valmekanathan,Advocate,SR.50264

Order made in
Crl.O.P. (MD) No.3749 of 2017
Dated: 05.04.2017

SML

KK/RSK/SAR3/12.04.2017/2P-6C