



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.3755 of 2017

R.Raja

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Andipatti Circle,
Theni District.

2.The State rep. by
Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.

In Crime No.61 of 2017.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to pass an order permitting the petitioner to surrender before the Principal District and Sessions Court (PCR), Theni, in connection with Crime No.61 of 2017 on the file of the respondent police and file an application for the grant of bail on the same day and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law forthwith.

For Petitioner : Mr.M.Jegadeesh Pandian
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 Principal District and Sessions Court (PCR), Theni, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.61 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 279, 294(b), 323 of the Indian Penal Code and Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015, and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move 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. He further submits that there is no previous case against this petitioner.

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 Principal District and Sessions Court (PCR), Theni, in respect of Crime No.61 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.61 of 2017, the Principal District and Sessions Court (PCR), Theni, 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.

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The Principal District and Sessions Court (PCR),
Theni.

2.The Deputy Superintendent of Police,
Andipatti Circle,
Theni District.

3.The Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.

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

+1cc to Mr.M.Jegadeesh Pandian, Advocate, SR.50883

Order made in
Crl.O.P. (MD) No.3755 of 2017
Dated: 05.04.2017

SML