



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.3761 of 2017

A.Prabhu

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Oomachikulam Division,
Madurai District.

2.The Inspector of Police,
Oomachikulam Police Station,
Madurai District.

(Crime No.56 of 2017).

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to issue a direction, directing the learned Third Additional District and Sessions Judge (PCR Court), Madurai, to consider the petitioner's bail application on the same day of his surrender in Crime No.56 of 2017 on the file of the Inspector of Police, Oomachikulam Police Station, Madurai District.

For Petitioner

: Mr.S.Poorna Chandran

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 Third Additional District and Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.56 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) and 323 of the Indian Penal Code r/w Section 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 any anticipatory bail application and therefore, the petitioner has come forward with



3. The learned Government Advocate (Criminal side) takes notice for the respondents and submits that the injured has been discharged from the hospital. 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 learned Third Additional District and Sessions Judge (PCR Court), Madurai, in respect of Crime No.56 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.56 of 2017, the learned Third Additional District and Sessions Judge (PCR Court), Madurai, 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 Third Additional District and Sessions Judge (PCR Court), Madurai.
 - 2.The Deputy Superintendent of Police, Oomachikulam Division, Madurai District.
 - 3.The Inspector of Police, Oomachikulam Police Station, Madurai District.
 - 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1cc to M/S.Poornachandran, Advocate, SR.50203

Order made in
Crl.O.P. (MD) No.3761 of 2017
Dated: 05.04.2017

SML

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