



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.3857 of 2017

S.Venkateshwaran

: Petitioner

Vs.

1. State, Rep. by the Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.

2. A.Manjula

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST Act, 1989, Sivagangai, to consider the bail application of the petitioner/1st accused on the same day on merits in the event of his surrender in connection with Crime No.7 of 2017 on the file of the first respondent.

For Petitioner : Mr.V.Rajiv Rufus

For Respondent No.1 : 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, Special Court for Exclusive Trial of Cases under SC/ST Act, 1989, 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.7 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 496 of the Indian Penal Code and Sections 3(1)(s) and Section 3(1)(r) 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



3. The learned Government Advocate (Criminal side) takes notice for the first respondent.

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, Special Court for Exclusive Trial of Cases under SC/ST Act, 1989, Sivagangai, in respect of Crime No.7 of 2017 on the file of the first 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.7 of 2017, the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST Act, 1989, 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, Special Court for Exclusive Trial of Cases under SC/ST Act, 1989, Sivagangai.
2. The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.V.Rajiv Rufus, Advocate, SR.No. 50269

**Order made in
Crl.O.P. (MD) No.3857 of 2017
Dated: 05.04.2017**

SML

MKV-RSK-SAR 2/12.4.2017/2P-5C