



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.4096 of 2017

Sankar Thayal Sharma @ Tharma : Petitioner/Accused No.4

Vs.

State rep. by,

1.The Deputy Superintendent of Police,

Sivagangai,

Sivagangai District.

2.The Inspector of Police,

Taluk Police Station,

Sivagangai District,

Crime No.110/2017

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District and Sessions Judge cum P.C.R.Court, Sivagangai to consider the petitioner bail application and dispose the bail application on the same day, if the petitioner surrender before the learned Principal District & Sessions Judge cum P.C.R.Court, Sivagangai in Crime No.110 of 2017 on the file of the respondents.

For Petitioner : Mr.S.Sivakumar

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 Principal District and Sessions Judge cum P.C.R.Court, Sivagangai, to consider the petitioner's bail application on the same day, if the petitioner surrender before the learned Principal District and Sessions Judge Cum P.C.R.Court, Sivagangai, in Crime No.110 of 2017, 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 147, 148, 341, 324, 506(ii) of the Indian Penal Code r/w Section 3(1)(s) and 3(1)(a) of SC/ST 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.

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 Principal District and Sessions Judge cum P.C.R. Court, Sivagangai, in respect of Crime No.110 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.110 of 2017, the learned Principal District and Sessions Judge cum P.C.R. Court, 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. With this observation, this petition is disposed of accordingly.

Sd/-

Assistant Registrar(Protocol)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge cum P.C.R. Court,
Sivagangai
2. The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
3. The Inspector of Police,
Taluk Police Station,
Sivagangai District,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.S.Sivakumar, Advocate, SR.No. 51067

Order made in
Cr1.O.P.(MD) No.4096 of 2017

Dated: 07.04.2017