



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE P. KALAIYARASAN

Crl.O.P. (MD) No.420 of 2017

WEB COPY

Asik Raja

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Palani Division,
Dindigul District.

2.The Inspector of Police,
Ayakudi Police Station,
Dindigul District.

(Crime No.318 of 2016)

... Respondents

PRAYER : Petition filed under Section 482 of Criminal Procedure Code, praying to direct the Principal Sessions Judge (Special Court for PCR Cases) Dindigul to consider his bail application on the same day of his surrender in respect of Crime No.318 of 2016 on the file of the 2nd respondent pending investigation.

For Petitioners

:Mr.D.Venkatesh

For Respondents

:Mr.K.Anbarasan

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to direct the learned Principal Sessions Judge (Special Court for PCR Cases) Dindigul to consider his bail application on the same day of his surrender in respect of Crime No.318 of 2016 on the file of the 2nd respondent pending investigation.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (crl. side) for the respondents.

3.The provisions under Section 438 Cr.P.C. is not applicable to the offences committed under the SC/ST (Prevention of Atrocities) Act, as per Section 18 of the said Act. Therefore, the petitioners seek the above direction.

4.The petitioner is alleged to have committed the offences punishable under Sections 147, 294(b), 323 and 506(i) of the IPC and Sections 3(1)(R)(S) of SC/ST (Prevention of Atrocities) Act 2015.

<https://hcservices.equib.com/hcservices> 5.Considering the nature of the offences and the request made by the petitioner, this Court issues the following direction:-

"The petitioner is directed to surrender before the learned Principal Sessions Judge (Special Court for PCR Cases) Dindigul, within ten days from the date of receipt



of a copy of this order and to file bail application. The learned Principal Sessions Judge (Special Court for PCR Cases) Dindigul, is directed to accept the surrender of the petitioners in Crime No.318 of 2016 and consider the petitioners' bail application and dispose of the same on merits and in accordance with law, on the same day of their surrender."

6.This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal Sessions Judge,
Special Court for PCR Cases.
 - 2.The Deputy Superintendent of Police,
Palani Division,
Dindigul District.
 - 3.The Inspector of Police,
Ayakudi Police Station,
Dindigul District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1CC to Mr.D.Venkatesh, Advocate, SR.3101

RJ2

KK-GSV-SV-23.01.17-2P-6C

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