



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.4212 of 2017

Maruthayee : Petitioner

Vs.

1.The Deputy Superintendent of Police,
Samayanallur Sub Division,
Samayanallur,
Madurai District.

2.The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Third Additional District and Sessions Judge (PCR) Court Cases, Madurai, to consider the bail Petition filed by the petitioner on the same day of her surrender in Crime No.368 of 2016.

For Petitioner : Mr.P.Sengutta Arasan
For Respondents : Mr.K.Anbarasan,
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 Cases, Madurai, to accept the surrender of the petitioner and consider the bail application on merits on the same day of her surrender, in Crime No.368 of 2016 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), 323, 324 and 506(i) of the Indian Penal Code r/w Section 3(2)(va) of SC/ST (Prevention of Atrocities) Act amended 2014, and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any 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 the investigation in Crime No.368 of 2016 has been completed and charge sheet has been filed, but the same has not yet been taken on file.

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 Cases, Madurai, in respect of Crime No.368 of 2016 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.368 of 2016, the learned Third Additional District and Sessions Judge (PCR) Court Cases, Madurai, in turn, is directed to accept her surrender and consider her 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(Protocol)

/True Copy/

Sub Assistant Registrar

To

1.Third Additional District and Sessions Judge
(PCR) Court Cases, Madurai.

2.The Deputy Superintendent of Police,
Samayanallur Sub Division,
Samayanallur,
Madurai District.

3.The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.

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

+1CC to M/S.P.Senguttarasan, Advocate, SR.No. 51564

Order made in

Cr1.O.P.(MD)No.4212 of 2017

Dated: 11.04.2017