



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.04.2017**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.(MD)No.4250 of 2017

Senthamil Selvan

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Papanasam Sub-Division,
Thanjavur District.

2.The Inspector of Police,
Ammapettai Police Station,
Thanjavur,
Thanjavur District.
(Crime No.120/2017)

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned First Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, to consider and dispose of the bail application of the petitioner in Crime No.120 of 2017 on the file of the second respondent herein on the same day of his surrender before the said Court.

For Petitioner : Mr.A.Thiruvadi Kumar

For Respondents : Mr.K.Anbarasan,

Government Advocate (Cr1.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 First Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.120 of 2017 pending on the file of the respondent



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), 307 of the Indian Penal Code and Sections 3(1)(r)(s) and 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 the said prayer.

3. The learned Government Advocate (Criminal side) takes notice for the respondents and submits that the injured has been discharged from the hospital.

4. Considering the submissions of both sides and taking into consideration the nature of injury, viz., injury on the left forearm and the injured has also been discharged from the hospital 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 First Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, in respect of Crime No.120 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.120 of 2017, the learned First Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, 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 (AS)

/TRUE COPY/

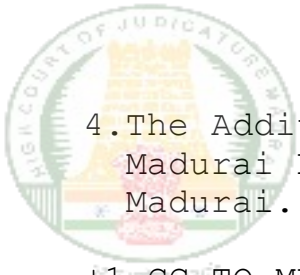
SUB ASSISTANT REGISTRAR

To

1. The First Additional District and Sessions Judge
(Special Judge for P.C.R. Cases), Thanjavur,
Thanjavur District.

2. The Deputy Superintendent of Police,
Papanasam Sub-Division,
Thanjavur District.

3. The Inspector of Police,
Thangavayal Police Station,
Thanjavur,
Thanjavur District.



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

+1 CC TO MR.A.THIRUVADIKUMAR, ADVOCATE, SR NO.51328

WEB COPY

SML

MAS/SKN-RSK/SAR3:11.04.2017:3P-6C

Order made in
Crl.O.P.(MD)No.4250 of 2017
Dated: 11.04.2017