



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.(MD)No.4282 of 2017

Akila

: Petitioner

Vs.

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

: 1st Respondent

2.A.Manjula

: 2nd Respondent

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/2nd 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 1st respondent.

For Petitioner

: M/s.T.C.Vijayakumar

For Respondent

: Mr.K.Anbarasan for R1

Government Advocate (CrI.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 consider the Bail Application of the petitioner/2nd 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 1st 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 496 of IPC and Section 3(1)(r), 3(1)(s) of the 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 is not 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 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 her surrender and consider her bail application on merits and in accordance with law on the same day.

5. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar

/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.T.C.Vijayakumar, Advocate, SR.No.51554

**Order made in
Crl.O.P. (MD) No.4282 of 2017
Dated: 12.04.2017**

Mrn/RR

MKV-KP-SAR 3/18.4.2017/2P-5C