

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 17.04.2017****CORAM:****THE HONOURABLE MR. JUSTICE P.N. PRAKASH****Crl.O.P. (MD) No. 4453 of 2017**

Ramesh

: Petitioner

Vs.

State represented by,

1. The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.

2. The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.451 of 2016).

: Respondents

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 (PCR), Thanjavur, to consider the bail application of the petitioner to be filed in Crime No.451 of 2016 on the file of the respondent police and to accept his surrender on the same day on merits.

For Petitioner : Mr.R.Boomirajan

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 Principal District and Sessions Judge (PCR), Thanjavur, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.451 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 offence under Section 324 of the Indian Penal Code r/w Section 3 (1)(x) 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 and submits that the injured has been discharged from the hospital.

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 (PCR), Thanjavur, in respect of Crime No.451 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.451 of 2016, the learned Principal District and Sessions Judge (PCR), Thanjavur, 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 petition is disposed of with the above direction.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge (PCR),
Thanjavur.
2. The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.
3. The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Sml

vb/sv/mms/sar3/21.04.2017/2p/5c