



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Cr1.O.P. (MD) No. 4466 of 2017

Prabhu

: Petitioner

Vs.

1. The State Rep. by,
The Deputy Superintendent of Police,
Melur,
Madurai District.

2. The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No. 349 of 2017).

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Third Additional District Judge -cum- PCR Court, Madurai, to consider the bail application of the petitioner on the very same day of his surrender in connection with the FIR in Crime No. 349 of 2017 pending investigation on the file of the first respondent police.

For Petitioner : Mr. V. R. Manoharan

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 Third Additional District Judge -cum- PCR Court, Madurai, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No. 349 of 2017 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), 324 and 506(i) of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (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 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 Third Additional District Judge -cum- PCR Court, Madurai, in respect of Crime No.349 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.349 of 2017, the Third Additional District Judge -cum- PCR Court, Madurai, 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 Third Additional District Judge -cum- PCR Court,
Madurai.

2.The Deputy Superintendent of Police,
Melur,
Madurai District.

3.The Inspector of Police,
Melur Police Station,
Madurai District.

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

+1 CC to Mr.M.S.JEYAKARTHICK, Advocate, SR No. 52322

SML

PSM/SV-MMS/SAR3/21.04.2017/2P/6C

Order made in
Crl.O.P. (MD)No.4466 of 2017
Dated: 17.04.2017