



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.04.2017
CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD) No.4718 of 2017

Arivuchelvam : Petitioner/Accused No.1

Vs.

State represented through the
The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
(Crime No.103 of 2017).

: Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the District and Sessions Special Court (PCR), Sivagangai to consider the bail application of the petitioners on the same day in Crime No.103 of 2017 on the file of the respondent police Station.

For Petitioner : Mr.P.Suresh Kumar

For Respondent : 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 District and Sessions Special Court (PCR), Sivagangai, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.103 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 147, 148, 323, 324 and 506(ii) of the Indian Penal Code r/w Section 3(1)(r)(s) of 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



3. The learned Government Advocate (Criminal side) takes notice for the respondent 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 District and Sessions Special Court (PCR), Sivagangai, in respect of Crime No.103 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.103 of 2017, the District and Sessions Special Court (PCR), Sivagangai, 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. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The District and Sessions Special Court (PCR),
Sivagangai.

2.The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.

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

+1 cc to Mr.P.Suresh kumar , Advocate in SR.No. 53189

SML

AE/SV MMS/SAR2/25.04.2017/2P/5C

Order made in
Cr1.O.P. (MD) No.4718 of 2017
Dated: 20.04.2017