



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE **P.N.PRAKASH**Crl.O.P.(MD)No.4843 of 2017

Angumuthu @ Selvakumar : Petitioner/Accused No.2

Vs.

1. State rep. By
The Assistant Commissioner of Police,
Vilakkuthoon Police Station,
Madurai City.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

(Crime No.556 of 2017)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the III Additional District and Sessions Court Cum P.C.R (SC/ST Act) Court, Madurai, Madurai District to consider the Bail application on same day on his surrender in connection with Crime No.556 of 2017 on the file of the respondent police.

For Petitioners

: Mr.S.Muthukumar

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 III Additional District and Sessions Court Cum P.C.R (SC/ST Act) Court, Madurai, Madurai District to consider the Bail application of the petitioner on the same date of surrender in Crime No.556 of 2017 on the file of the second 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), 323, 354(b) 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 cannot move any application for 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.

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 III Additional District and Sessions Court Cum P.C.R (SC/ST Act) Court, Madurai, Madurai District, in respect of Crime No.556 of 2017 on the file of the second 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.556 of 2017 the III Additional District and Sessions Court Cum P.C.R (SC/ST Act) Court, Madurai, Madurai 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. With the above direction, this petition is disposed of.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The III Additional District and Sessions Court,
Cum PCR, (SC & ST Act), Madurai.
2. The Assistant Commissioner of Police,
Vilakkuthoon Police Station, Madurai City.
3. The Inspector of Police,
Avaniyapuram Police Station, Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.S.MUTHUKUMAR, Advocate SR.No.53510

Order made in
Cr1.O.P.(MD)No.4843 of 2017
Dated:21.04.2017

JM/KP/SAR 3/27.04.2017/2P/6C