



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE **P.N.PRAKASH**Cr1.O.P.(MD)No.5307 of 2017

Shanmugam

: Petitioner/Accused No.1

Vs.

State represented by

1. The Deputy Superintendent of Police,
Dindigul,
Dindigul District.

2. The Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.90/2017)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District and Sessions Judge (PCR Act Cases), Dindigul to consider the bail application on their surrender on the same day, if any petition filed by the petitioner in Crime No.90 of 2017 on the file of second respondent.

For Petitioners
For Respondents

: Mr.M.Suresh Babu
: Mr.A.P.Balasubramani
Government Advocate (Cr1.side)

ORDER

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the Principal District and Sessions Judge (PCR Act Cases), Dindigul to consider the Bail application of the petitioner on the same date of surrender in Crime No.90 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) and 336 of IPC and Sections 3(1)(i) and 3(2)(v) 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 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 submitted that the injured has been discharged from the hospital and that there is no previous case against the petitioners.

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 Principal District and Sessions Judge (PCR Act Cases), Dindigul, in respect of Crime No.90 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.90 of 2017 the Principal District and Sessions Judge (PCR Act Cases), Dindigul, 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 Principal District and Sessions Judge (PCR Act Cases), Dindigul.
2. The Deputy Superintendent of Police, Dindigul, Dindigul District.
3. The Inspector of Police, Sempatti Police Station, Dindigul District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.M.Subash Babu, Advocate SR.No.54946

Order made in
Cr1.O.P.(MD)No.5307 of 2017
Dated:27.04.2017

JM/RSK/SAR 4/08.05.2017/2P/6C