



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2017**

CORAM:

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

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Crl.O.P. (MD)No.5329 of 2017

S.Ayyanar

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Vaniyampatti Vilaku Police Station,
Virudhunagar District,
Virudhunagar.

: 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, Virudhunagar District at Srivilliputhur to accept surrender of the petitioner rank not known and consider his bail application on the same day in connection with Crime No.48 of 2017 pending on the file of the second respondent.

For Petitioner

: Mr.N.Satheesh Kumar

For Respondents

: Mr.P.Kandasamy,

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, Virudhunagar District at Srivilliputhur, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.48 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, 294(b), 448, 354, 436 and 307 of the Indian Penal Code, Section 4 of TNPPDL Act r/w Sections 3(1)(r), 3(1)(s), 3(2)(va), 3(1)(w)(i) and 3(2)(v) of 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.

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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, Virudhunagar District at Srivilliputhur, in respect of Crime No.48 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.48 of 2017, the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur, 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(A.S)

/True Copy/

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge,
Virudhunagar District at Srivilliputhur.

2.The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District,
Virudhunagar.

3.The Inspector of Police,
Vaniyampatti Vilaku Police Station,
Virudhunagar District,
Virudhunagar.

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

+1cc to Mr.R.RAGAVENDRAN Advocate in SR. No.55452

SML

JS/JC/SAR, 4/2P-6C/4.05.2017

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Order made in

Cr1.O.P. (MD) No.5329 of 2017

Dated: 28.04.2017