



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

Crl.O.P. (MD)No.5361 of 2017

Mohammed Farooq

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District.

2.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
(Crime No.301 of 2016).

: Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District and Sessions Court (PCR), Thanjavur, to accept the surrender of the petitioner in connection with Crime No.301 of 2016 on the file of the respondent police and consider his bail application on the same day.

For Petitioner

: Mr.R.Venkateshwar

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 Principal District and Sessions Court (PCR), Thanjavur, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.301 of 2016 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), 506(ii) and 379 of the Indian Penal Code r/w Sections 3(i)(r) and 3(2)(va) 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.

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 Court (PCR), Thanjavur, in respect of Crime No.301 of 2016 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.301 of 2016, the Principal District and Sessions Court (PCR), Thanjavur, 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 (AS)

/True copy/

Sub Assistant Registrar

To

1.The Principal District and Sessions Court (PCR),
Thanjavur.

2.The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District.

3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

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

+1 CC to M/s.R.VENKATESHWAR, Advocate, SR No. 55381

SML

PSM/MR/SAR4/04.05.2017/2P/6C

Order made in

Cr1.O.P. (MD)No.5361 of 2017

Dated: 28.04.2017