



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.05.2017

CORAM

THE HON'BLE MR.JUSTICE **N.AUTHINATHAN**
Crl.O.P.(MD) No.5658 of 2017

C.Murugan

...Petitioner/ Sole Accused

-Vs-

State Represented by,
The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.
(Crime No. 173 of 2017)

...Respondent/ Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Judge for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act/2nd Additional District and Sessions Judge (PCR Unit), Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in Crime No.173 of 2017, on the file of the respondent police.

For Petitioner	: Mr.R.Balakrishnan
For Respondent	: Mr.K.Anbarasan
	Government Advocate (Crl. Side)

O R D E R

This petition is filed, to direct the learned Special Judge for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act/2nd Additional District and Sessions Judge (PCR Unit), Tirunelveli, to consider the bail application of the petitioner on the same day of his surrender in Crime No.173 of 2017, on the file of the respondent police.

2. The learned Counsel for the Petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 294(b) and 323 I.P.C. and Sections 3 (1) (x), 3 (1) (r) and 3(1) (s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015, and that in view of the specific bar under Section 18 of the SC/ST Act, he cannot move any anticipatory bail application and therefore, the petitioner has come forward with the above said prayer.

<https://hcservices.ecourts.gov.in/hcservices/> The learned Government Advocate (Criminal Side) takes notice for the respondent.



4. This Court does not express any opinion on the merits of the case. However, having regard to the facts and circumstances of the case, this Court directs the petitioner to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file necessary applications for bail. The Court concerned shall consider the same and pass appropriate orders, on merits, on the same day of surrender of the petitioner.

5. With the above direction, this Petition is disposed of.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. The Special Judge for SC/ST (Prevention of Atrocities) Act /
II Additional District and Sessions Judge (PCR Unit)
Tirunelveli.
2. The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.R.Balakrishnan, Advocate SR.No. 55647

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04.05.2017

KK/JC/SAR 4/09.05.2017/2P/5C