



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P.(MD)No.5829 of 2017

Sarath @ Narayanan

: Petitioner/2nd Accused

Vs.

1. The Deputy Superintendent of Police,
Ambasamudram Division,
Tirunelveli District.

2. The Inspector of Police,
Alwarkurichi Police Station,
Tirunelveli District.
(Crime No.73 of 2017)

: Respondents/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Second Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider his bail application on the same day of his surrender in respect of Crime No.73 of 2017 on the file of the second respondent.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.A.P.Balasubramani,
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 Second Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider his bail application on the same day of his surrender in respect of Crime No.73 of 2017 on the file of the second respondent.

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), 325 and 323 IPC and Sections 3(1) (S) and 3(2) (Va) of SC/ST (Prevention of Atrocities) 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. ~~Since 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 learned Second Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, in respect of Crime No.73 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.73 of 2017, the learned Second Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, 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 this observation, this petition is disposed of accordingly.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Second Additional District and Sessions Judge
(Special Court for PCR Cases), Tirunelveli.
 2. The Deputy Superintendent of Police,
Ambasamudram Division,
Tirunelveli District.
 3. The Inspector of Police,
Alwarkurichi Police Station,
Tirunelveli District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to M/S. D.VENKATESH, Advocate, SR.No.56896