



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.05.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P. (MD) No.6039 of 2017

Duraisamy

: Petitioner/Sole Accused

Vs.

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

2. The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

: Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned District and Sessions Judge (PCR), Dindigul to consider the bail application of the petitioner/sole accused if any filed by him on his surrender on the same day in Crime No.111 of 2017, on the file of the second respondent police.

For Petitioner : Mr.K.Arunraj

For Respondents : Mr.A.P.Balasubramanian,
Government Advocate (Crl.side)

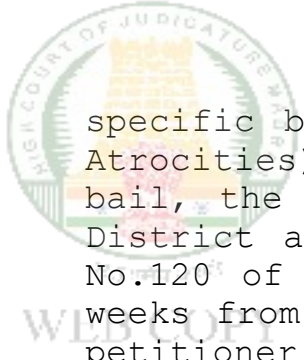
O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned District and Sessions Judge (PCR), Dindigul, to consider the bail application to be filed by the petitioner on the same day in accordance with law.

2.The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 341, 324, 506(ii) I.P.C. and Section 3(2) (v), 3(1)(r) and 3(1)(s) of SC/ST (P.O.A.) 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 learned District and Sessions Judge (PCR), Dindigul, in respect of Crime No.120 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.111 of 2017, the learned District and Sessions Judge (PCR), 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. Since the petitioner is permitted to surrender before the Sessions Court, the intervenor is permitted to put his objections in Cr.No.111 of 2017 before the Sessions Court and the learned Judge is directed to consider the bail application of the petitioner along with the objections filed by the intervenor/defacto complainant and thereafter pass orders on the same day on merits. The petitioner, while surrendering before the Sessions Court, should give an advance notice to the intervenor, so as to enable him to file his objections on the date of hearing of the bail application by the learned Sessions Judge.

6. With these observations, this petition is disposed of accordingly.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Judge (PCR), Dindigul
2. The Deputy Superintendent of Police,
Vedasandur Taluk, Dindigul District.
3. The Inspector of Police,
Vedasandur Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.K.ARUNRAJ, ADVOCATE IN SR No. 56850

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