



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.05.2017**

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

WEB COPY

Cr1.O.P. (MD) No.6042 of 2017

Ulaganathan @ Gokula Kannan

: Petitioner/Accused No.3

Vs.

1.The State rep. By

The Deputy Superintendent of Police,
Kodaikanal,
Dindigul District.

2.The Inspector of Police,

Thandigudi Police Station, Thandigudi,
Dindigul District.

(Crime No.145 of 2016).

: 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 (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989), Dindigul District to accept the surrender of the petitioner and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.145 of 2016, dated 31.08.2016 on the file of the second respondent.

For Petitioner

: Mr.P.Banuprasath

For Respondents

: Mr.A.P.Balasubramani,

Government Advocate (Cr1.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 (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989), Dindigul District to accept the surrender of the petitioner and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.145 of 2016, dated 31.08.2016 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), 323 IPC @ 294(b), 323 IPC and Section 3(1)(c) of SC/ST (Prevention of Atrocities) Act, 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 Principal District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989), Dindigul District, in respect of Crime No.145 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.145 of 2016, the learned Principal District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989), Dindigul District, 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 /-
ASSISTANT REGISTRAR
VACATION OFFICER

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1. The Principal District and Sessions Judge,
Dindigul District.

2. The Deputy Superintendent of Police,
Kodaikanal,
Dindigul District.

3. The Inspector of Police,
Thandigudi Police Station, Thandigudi,
Dindigul District.

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

+1 CC TO MR.P.BANU PRAKASH, ADVOCATE, SR NO.56790
PS/GK

MAS/JC/SAR3:19.05.2017:2P-6C