



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**Cr1.O.P. (MD)No.6071 of 2017**

Raja

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Samayanallur,
Madurai District.

2.State rep. By
The Inspector of Police,
Nagamalaipudukkottai Police Station,
Madurai District.
Crime No.267 of 2017.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Third Additional District and Sessions Judge cum PCR Cases, Madurai, to consider the petitioner's bail application and dispose the bail application on the same day, if the petitioner surrender before the learned Third Additional District and Sessions Judge cum PCR Cases, Madurai in Crime No.267 of 2017 on the file of the respondent.

For Petitioner : Mr.C.Asaitambi

For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Cr1.side)

ORDER

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned Third Additional District and Sessions Judge cum PCR Cases, Madurai, to consider the petitioner's bail application and dispose the bail application on the same day, if the petitioner surrender before the learned Third Additional District and Sessions Judge cum PCR Cases, Madurai in Crime No.267 of 2017 on the file of the 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 341, 294(b), 323 and 506(i) IPC r/w

Section 4 of Women Harassment Act and Section 3(1)(r) and (s) and 3(2)(va) 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 Third Additional District and Sessions Judge cum PCR Cases, Madurai, in respect of Crime No.267 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.267 of 2017, the learned Third Additional District and Sessions Judge cum PCR Cases, Madurai, 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 Third Additional District and Sessions Judge cum PCR Cases, Madurai.
2. The Deputy Superintendent of Police, Samayanallur, Madurai District.
3. The Inspector of Police, Nagamalaipudukkottai Police Station, Madurai District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.C.Asaithambi , Advocate in SR.No. 56671
Ps/Gk
AE/RSK/SAR3/19.05.2017/2P/6C

Order made in
Crl.O.P. (MD) No.6071 of 2017
Dated: 17.05.2017