



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

WEB COPY

Crl.O.P. (MD) No.6100 of 2017

Kalai Kannan : Petitioner/5th Accused

Vs.

1.The State rep. By,
The Deputy Superintendent of Police,
Ilayankudi,
Sivagangai District.

2.The Inspector of Police,
Elayankudi Police Station,
Sivagangai District.

(Crime No.96 of 2017)

: Respondents/Complainants

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned District Judge cum Sessions Judge (PCR Court), Sivagangai, to consider the bail application of the petitioner on the very same day of his surrender in connection with the F.I.R in Crime No.96 of 2017 pending investigation on the file of the first respondent Police.

For Petitioner : Mr.S.Jeyakarthik
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 District Judge cum Sessions Judge (PCR Court), Sivagangai, to consider the bail application of the petitioner on the very same day of his surrender in connection with the F.I.R in Crime No.96 of 2017 pending investigation on the file of the first respondent Police.

2.The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 147, 294(b) and 323 IPC and Section 3(1)(r)(s) of SC/ST (Prevention of Atrocities) Act, 1989 and that in view of the specific bar under Section 18 of the said Act, the petitioner is not 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 Judge cum Sessions Judge (PCR Court), Sivagangai, in respect of Crime No.96 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.96 of 2017, the learned District Judge cum Sessions Judge (PCR Court), Sivagangai, 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(CO)

/True Copy/

Sub Assistant Registrar

To

1.The District Judge cum Sessions Judge (PCR Court),
Sivagangai.

2.The Deputy Superintendent of Police,
Ilayankudi,
Sivagangai District.

3.The Inspector of Police,
Elayankudi Police Station,
Sivagangai District.

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

+1cc to Mr.Jeyakarthik,Advocate,SR.56693

Cr1.O.P. (MD) No.6100 of 2017
Dated: 17.05.2017