



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P.(MD)No.6146 of 2017

C.Dinakaran

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Vilathikulam Division,
Vilathikulam, Tuticorin District.

2.The State by,
The Inspector of Police,
Tharuvaikulam Police Station,
Tuticorin District.

In Crime No.138 of 2015.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Second Additional Sessions Judge, Tirunelveli (Special Court for SC and ST Act (PCR Court) to consider the petitioner's bail application on the date of surrender before the Court in respect of Crime No.138 of 2015 on the file of the second respondent and to dispose of their bail application on the same day itself.

For Petitioner : Mr.S.Krishnan

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 Sessions Judge, Tirunelveli (Special Court for SC and ST Act (PCR Court) to consider the petitioner's bail application on the date of surrender before the Court in respect of Crime No.138 of 2015 on the file of the second respondent and to dispose of their bail application on the same day itself.

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, 148, 341, 294(b), 324, 307, 448, 427 and 506(ii) IPC r/w Section 3(1)(x) of SC/ST (Prevention of Atrocities) Act, and that in view of the specific bar under 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 Second Additional Sessions Judge, Tirunelveli (Special Court for SC and ST Act (PCR Court), in respect of Crime No.138 of 2015 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.138 of 2015, the learned Second Additional Sessions Judge, Tirunelveli (Special Court for SC and ST Act (PCR Court), 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/
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Second Additional Sessions Judge,
Tirunelveli (Special Court for SC and ST Act (PCR Court).
 2. The Deputy Superintendent of Police,
Vilathikulam Division, Vilathikulam, Tuticorin District.
 3. The Inspector of Police,
Tharuvaikulam Police Station, Tuticorin District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai
- +One cc to Mr. S. Krishnan, Advocate, SR.No.56850
ps/gk
RL/6C/2P/MMS/SAR3/19.5.2017

Order made in
Crl.O.P. (MD) No.6146 of 2017