



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

WEB COPY

CrI.O.P.(MD)No.6231 of 2017

Krishnan @ Ramakrishnan : Petitioner/Accused NO.3

Vs.

1.The Deputy Superintendent of Police,
Kovilpatti,
Tuticorin District. ..Respondent No.1/Investigating Officer

2.State through,
The Inspector of Police,
Kovilpatti Police Station,
Tuticorin District.
(Crime No.743/2016) : Respondent No/2.Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned II-Additional District Sessions Judge (PCR Court), Tirunelveli, to consider and pass orders on the bail application of the petitioner/Accused No.3 on the same day in Cr.No.743 of 2016 pending on the file of the 2nd respondent.

For Petitioner : Mr.R.Rajamohan
For Respondents : Mrs.S.Prabha,
Government Advocate (CrI.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 II-Additional District Sessions Judge (PCR Court), Tirunelveli, 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 147, 148, 294(b), 307, 323, 324, 342, 363, 506(ii) IPC r/w Section 3(2)(v) of SC/ST (Prevention of Atrocities) 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.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned Government Advocate (Criminal side) takes notice for the respondent.



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 II-Additional District Sessions Judge (PCR Court), Tirunelveli, in respect of Crime No.743 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.743 of 2016, the learned II-Additional District Sessions Judge (PCR Court), Tirunelveli, 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 II Additional District Sessions Judge (PCR Court),
Tirunelveli.

2. The Deputy Superintendent of Police,
Kovilpatti,
Tuticorin District.

3. The Inspector of Police,
Kovilpatti Police Station,
Tuticorin District.

4. Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+One cc to Mr. R. Rajamohan, Advocate, SR.No.56838

ps/gk

RL/6C/2P/MMs/SAR3/19.5.2017

Order made in
Crl.O.P. (MD) No.6231 of 2017