

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 18.05.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

Crl.O.P.(MD)No.6291 of 2017

K.P.R. @ Krishnan : Petitioner/sole accused

Vs.

State rep. by,

The Inspector of Police,  
Palayamkottai Police Station,  
Tirunelveli District.

(Crime No.368 /2017)

: Respondent/complainant

**Prayer:** Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act/2<sup>nd</sup> Additional District & Sessions Judge (PCR Unit), Tirunelveli, to consider the bail application of the petitioner on the same day in Cr.No.368 of 2017 pending on the file of the respondent.

For Petitioner : Mr.R.Pon Karthikeyan  
For Respondents : Mr.K.Anbarasan,  
Government Advocate (Crl.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 Special Judge for SC/ST (Prevention of Atrocities) Act/2<sup>nd</sup> Additional District & Sessions Judge (PCR Unit), 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 294(b), 323, 353, 506(ii) of IPC r/w. 3(1) (r)(s) and 3(2)(va) 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/> 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 Special Judge for SC/ST (Prevention of Atrocities) Act/2<sup>nd</sup> Additional District & Sessions Judge (PCR Unit), Tirunelveli, in respect of Crime No.368 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.368 of 2017, the learned Special Judge for SC/ST (Prevention of Atrocities) Act/2<sup>nd</sup> Additional District & Sessions Judge (PCR Unit), 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

/True Copy/

Sub Assistant Registrar

To

1. The learned Special Court for SC/ST  
(Prevention of Atrocities)  
Act/2<sup>nd</sup> Addl. District & Sessions Judge (PCR Unit),  
Tirunelveli.
2. The Inspector of Police,  
Palayamkottai Police Station,  
Tirunelveli District.
3. Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to M/S. R.PON KARTHIKEYAN, Advocate, SR.No.56891

Order made in  
Crl.O.P. (MD) No.6291 of 2017  
Dated: 18.05.2017

SDS/MR/SAR 3/23.05.2017/2P/5C