



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

CrI.O.P.(MD)No.6305 of 2017

Nagappan

: Petitioner/A1

Vs.

1. State through
The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.195 /2017)

: Respondents/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Special Court for atrocities against SC/ST (Prevention of Atrocities) Act cases (PCR), Sivagangai, to accept the surrender of the petitioner and to consider the bail application of the petitioner/Accused No.1 on the same day in Cr.No.195 of 2017 pending on the file of the 2nd respondent.

For Petitioner : Mr.S.Karthick Subramanian

For Respondents : Mr.K.Anbarasan,
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 Special Court for atrocities against SC/ST (Prevention of Atrocities) Act cases (PCR), Sivagangai, 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 323, 324, and 506(ii) of IPC and Sections 3(1)(r) and 3(1)(s) 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.

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 Special Court for atrocities against SC/ST (Prevention of Atrocities) Act cases (PCR), Sivagangai, in respect of Crime No.195 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.195 of 2017, the learned Special Court for atrocities against SC/ST (Prevention of Atrocities) Act cases (PCR), 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/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Special Judge for SC/ST
(Prevention of Atrocities) Act cases (PCR),
Sivagangai.
2. The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.
2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.S.KARTHICK SUBRAMANIAN, ADVOCATE IN SR No. 56918

PJL

<https://hccpcsbmdcourtsuprinhtsrices/> 23/05/2017 : 2P/6C

Order made in
Crl.O.P. (MD) No.6305 of 2017
Dated: 18.05.2017