



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2017

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.732 of 2017

Gurukarthik

: Petitioner/Accused No.4

-vs-

1.The Deputy Superintendent of Police,  
Manamadurai Range,  
Sivagangai District.

2.The State rep. by  
The Inspector of Police,  
Palaiyanoor Police Station,  
Sivagangai District.  
Crime.NO.2 of 2017

: Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Court for Exclusive Trial of case under SC/ST (POA) Act 1989, Sivagangai, to accept the surrender of the petitioner and consider the petitioner bail application on the same day of surrender itself in Crime No.2 of 2017 on the file of the respondent No.2

For Petitioner : Mr.R.Boominathan

For Respondents : Mr.K.Anbarasan  
Govt. Advocate (Crl.Side)

#### O R D E R

This petition has been filed, seeking to direct the learned Special Court for Exclusive Trial of case under SC/ST (POA) Act 1989, Sivagangai, to accept the surrender of the petitioner and consider the petitioner bail application on the same day of surrender itself in Crime No.2 of 2017 on the file of the respondent No.2

2.The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated for the alleged offences under Sections 147, 148, 341, 294(b), 352 IPC and Section 3(1)(r), 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.2 of 2017 and that in view of the specific bar under Section 18 of the SC & S.T. (Prevention of Atrocities) Act, the petitioner cannot



move any anticipatory bail application and therefore, the petitioner has come forward with the present petition for the said prayer.

3. Heard Mr.K.Anbarasan, learned Government Advocate (Crl.Side) who takes notice for the respondents.

4. Considering the submissions of both sides, this criminal original petition is disposed of with the following direction:-

The petitioner is directed to surrender before the learned Special Court for Exclusive Trial of case under SC/ST (POA) Act 1989, Sivagangai, within fifteen days from today and if he filed any bail application in this crime number, learned Special Court for Exclusive Trial of case under SC/ST (POA) Act 1989, Sivagangai, is directed to dispose of the application, after giving notice to the concerned Public Prosecutor, purely on merits and in accordance with law on the same day itself.

With this observation, this petition is disposed of accordingly.

Sd/-  
Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

1.The Deputy Superintendent of Police,  
Manamadurai Range,  
Sivagangai District.

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

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

+1cc to M/s.R.Boominathan, Advocate SR.No.3803

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Crl.O.P.(MD) No.732 of 2017  
24.01.2017