



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.01.2017

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.23894 of 2016

Thangamanickam : Petitioner
-vs-

State rep. by
The Deputy Superintendent of Police,
Sayalkudi Police Station
Ramanathapuram District. : Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal Sessions Judge designated court conduct schedule caste/schedule tribes Act cases, Ramanathapuram to consider the bail application, if any filed by the petitioner/accused on his surrender before it in connection with the Crime No.131 of 2016 on the file of the Sayalkudi Police Station on the same day.

For Petitioners : Mr.R.Venkateswaran

For Respondent : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the learned Principal Sessions Judge designated Court for Schedule Caste/Schedule Tribes Act cases, Ramanathapuram, to consider the bail application, if any filed by the petitioner/accused on his surrender before it, in connection with the Crime No.131 of 2016 on the file of the Sayalkudi Police Station, on the same day.

2.The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated for the alleged offences under Sections 341, 294(b), 324 and 307 IPC and Section 3(2)(v) of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act and 3 of the Tamil Nadu Public Property (Damage and Loss) Act 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.A.P.Balasubramani, the learned Government Advocate (CrI.Side), who takes notice for the respondent.

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 Principal Sessions Judge, designated Court for Scheduled Castes and Scheduled Tribes Act cases, Ramanathapuram, within fifteen days from today and if he filed any bail application in this crime number, learned Principal Sessions Judge, designated Court for Scheduled Castes and Scheduled Tribes Act cases, Ramanathapuram, 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

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To:

1. The Principal Sessions Judge,
Designated Court for SC/ST Cases.
Ramanathapuram.
2. The Deputy Superintendent of Police,
Sayalkudi Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr.R.Venkateswaran, Advocate, Sr.No:ccsR28/17

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GJM/SKN/SAR3/6-1-17/2P/5C