



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2015

CORAM

THE HONOURABLE MRS.JUSTICE S.VIMALA

Crl.O.P.(MD)No.19022 of 2015

1.Ramasaravanan  
2.R.Karpagavalli

: Petitioners/Accused No.1 & 2

Versus

The State rep. by  
The Inspector of Police,  
Tenkasi Police Station,  
Tirunelveli District.  
(Crime No.417 of 2015)

: Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned II Additional District and Sessions (PCR) Court, Tirunelveli District under the SC/ST (Prevention of Atrocities) Act 1989 to consider the bail application on the same day of surrender of the petitioners in connection with crime No.417 of 2015 pending investigation on the file of the respondent on its merits and consider on the same day.

For Petitioners : Mr.M.Boopathy Pandian  
For Respondent : Mr.P.Kandasamy  
G.A. (Crl. side)

ORDER

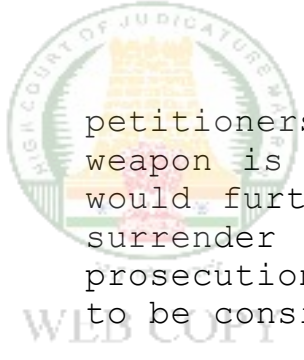
This petition has been filed to direct the learned II Additional District and Sessions (PCR) Court, Tirunelveli District to accept the surrender of the petitioners and to consider the bail application on the same day in connection with crime No.417 of 2015 pending investigation on the file of the respondent.

2.The first petitioner is stated to be a Contractor in PWD Department and the second petitioner is stated to be working in Canara Bank. It is alleged that on 19.05.2015, when they went to the office of the first petitioner, they attacked the defacto complainant and abused him using filthy languages and the caste name and also humiliated him.

3.The petitioners are stated to have committed offences under Sections 341, 294(b), 323, 353 and 506(ii) of I.P.C. read with Section 3(1)(X), 3(1)(XI) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. 1989. It is stated by the petitioners that they are innocent.

<https://hccastecourt.org.in/hccservices/>

4.It is represented by the learned counsel appearing for the



petitioners that even according to the case of the prosecution, no weapon is used and there was no necessity for any treatment. He would further would submit that the petitioners are prepared to surrender before the lower Court and to co-operate with the prosecution and therefore their petition for bail may be ordered to be considered on the same day.

5.The learned Government Advocate (Crl.Side) submitted that the injured has been discharged from the hospital.

6.Considering the submission of the learned counsel for the petitioners and that the injured has been discharged from the hospital and also the facts and circumstances of the case, the following direction is issued:

In the event of the petitioners surrendering before the lower Court and their filing of petition seeking bail, the lower Court shall dispose of the said petition for bail on the same day strictly on merits and in accordance with law.

7.The Criminal Original Petition is disposed of accordingly.

Sd/-  
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,  
Tenkasi Police Station,  
Tirunelveli District.
2. The II Additional District and Sessions (PCR) Court,  
Tirunelveli District, Tirunelveli.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+ 1 CC TO MR.M.M.BOOPATHI PANDIAN, ADVOCATE IN SR NO. 57938

RJ2

TE/AAL-MPA/ 08/10/2015 2P/5C