

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.5897 of 2016

1.N.K.Thavasiappan
2.N.K.Vijayakumar

... Petitioners

Vs.

State by Inspector of Police,
Thingalur Police Station,
Erode District,
Crime No.51 of 2016

... Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned Principal District and Sessions Judge (Special Judge for SC/ST (Prevention of Atrocities) Act, 1989), Erode to consider and dispose of the bail application of the petitioners on merits in connection with the case in Crime No.51 of 2016 on the file of the Inspector of Police, Thingalur Police Station, Erode District on the same date of their surrender.

For Petitioners: Mr.C.Munusamy

For Respondent : Mr.C.Emalias
Addl. Public Prosecutor

ORDER

Heard both sides.

2.The petitioners, who apprehend arrest for the offences punishable under Sections 294(b), 323 of IPC and 3(1) (r) and (s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.51 of 2016 on the file of the respondent police, moves this petition seeking a direction to the learned Principal District and Sessions Judge (Special Judge for SC/ST (Prevention of Atrocities) Act, 1989), Erode to accept the surrender of the petitioners and consider their bail application on the same day on merits.

3. Perused the records.

4. The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital.

5. The offences complained of, other than the offence under the Special enactment, may not be serious in nature warranting initial detention in jail, even before considering the bail application.

6. Therefore, the learned Principal District and Sessions Judge (Special Judge for SC/ST (Prevention of Atrocities) Act, 1989), Erode, is directed to accept the surrender of the petitioners and consider their bail application on the very same day purely on the basis of merits and in accordance with law.

7. Accordingly, this Criminal Original Petition is ordered.

cse

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Thingalur Police Station,
Erode District.

2. The Principal District and Sessions Judge
(Special Judge for SC/ST (Prevention of Atrocities) Act,
1989), Erode.

3. The Public Prosecutor, High Court, Chennai.

+ 1 cc to Mr. C. Munusamy, Advocate Sr 16996

KR/22/3/16

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