



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.10676 of 2016

Karthick

.. Petitioner/Accused No.2

Vs.

1.The Superintendent of Police,
Thiruvarur District.

2.The Inspector of Police,
Koradachery Police Station,
Thiruvarur District
Crime No.236 of 2016.

.. Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the I Additional District Sessions Judge(PCR Court) Thanjavur to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.236 of 2016 on the file of the 2nd respondent police.

For Petitioner	: Mr.K.G.Arunkumar,
For Respondents	: Mr.A.P.Balasubramani Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the I Additional District and Sessions Judge(PCR Court), Thanjavur to consider the bail application of the petitioner on the same day of his surrender in Crime No.236 of 2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondents.

3.The sum and substance of the complaint against the petitioner is that on 17.06.2016 the petitioner and other accused have attacked the defacto complainant with iron rod and abused him by using caste name. The said complaint has been registered in Crime No.236 of 2016 for the alleged offences under Sections 294(b), 324, ***307** and 506(ii) IPC r/w 3 (i) XS Va of 3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2015.

4.The learned counsel appearing for the petitioner would submit that no occurrence has taken place as alleged by the defacto complainant and in order to wreck vengeance, the defacto complainant preferred a false complaint. It is also represented by the learned counsel 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 up with this petition.

5.The learned Government Advocate (Crl. Side) appearing for the respondents would submit that the injured has already been discharged from the hospital and major portion of investigation is over.

6.Having regard to the facts and circumstances of the case, the petitioner is directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file a bail application. The Court concerned is directed to accept the surrender of the petitioner in Crime No.236 of 2016 and consider his bail application and dispose of the same on merits and in accordance with law, on the same day of his surrender.

7.With the above direction, this petition is disposed of.

Sd/

Assistant Registrar (P&A)

/True Copy/

***Corrected as per the order of this court**

dated:24.8.2016 made in Crl.MP. (MD) .No.6757/16 in

Crl.OP. (MD) .No.10676/2016

Sub Assistant Registrar.

To

To be substituted to the order already despatched as 21.07.2016

1.The I Additional District Sessions Judge (PCR Court)
Thanjavur.

2.The Superintendent of Police,
Thiruvarur District.

3.The Inspector of Police,
Koradachery Police Station,
Thiruvarur District

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

+1cc to M/s.K.S.Arunkumar, Advocate SR.No.47197

Crl.O.P (MD) No.10676 of 2016
20.07.2016mj

AM/SK.SKN/SAR-I/21.07.2016/2P/6C
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