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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2016

CORAM:

THE HONOURABLE Dr.JUSTICE S.VIMALA

CrI.O.P.(MD).No.10855 of 2016

1.Pitchai
2.Mayakkal @ Mariammal
3.Karpaga Raja

.. Petitioners/Accused 1 to 3

Vs.

State rep. by
the Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.171 of 2016)

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the III Additional District Judge Cum PCR Court Madurai to consider the petitioners bail application and dispose the bail application on the same day if the petitioners surrender before the learned III Additional District Judge - Cum - PCR Court, Madurai in Cr.No.171/2016 on the file of the respondent police.

For Petitioners : Mr.B.Suthasathyananth

For Respondent : Mr.P.Kandasamy
Government Advocate
(Criminal side)

ORDER

It is an application seeking a direction to the III Additional District Judge - Cum - PCR Court, Madurai to consider the bail application of the petitioners on the same day of their surrender in Crime No.171 of 2016.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.side) for the respondent.

3.The sum and substance of the complaint against the petitioners is that on 02.06.2016, the defacto complainant has borrowed loan from the first petitioner and due to money dispute, there was a wordy quarrel between them. The petitioners have also abused the defacto complainant by mentioning his caste name. The said complaint has been registered in Crime No.171 of 2016 for the alleged offences under Sections 147, 452, 355, 323 and 506(i) IPC and Section 3 of the Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003 and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

<https://hcservices.ecourts.gov.in/fdservices/> represented by the learned counsel for the petitioners that there is only a wordy quarrel between the petitioners and defacto complainant and because of previous enmity, they have been falsely



implicated in the present case. The learned counsel has also represented that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.

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

6.Having regard to the facts and circumstances of the case, the petitioners are 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 petitioners in Crime No.171 of 2016 and consider their bail application and dispose of the same on merits and in accordance with law, on the same day of their surrender.

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

Sd/

Assistant Registrar(Records)

/TRUE COPY/

Sub Assistant Registrar

To

1.The III Additional District Judge - Cum - PCR Court,
Madurai

2.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

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

+1cc to Mr.B.Suthasathyananth, Advocate in SR.No.3558

Crl.O.P(MD)No.10855 of 2016
06.07.2016

mj

PA/NGM-MP/SAR I/13.07.2016/2P/5C