



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2016

WEB COPY

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P. (MD) .No.10946 of 2016

Durai Burganutheen

.. Petitioner

Vs.

State rep. by
the Inspector of Police,
Iyyempetta Police Station,
Thanjavur District.
(Crime No.160 of 2016)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Learned 1st Additional District and Sessions Judge (PCR Court) Thanjavur to consider the bail application of the petitioner on merit and dispose of the application on the same day in the event of his appearance before the Learned 1st Additional District and Sessions Judge (PCR Court) Thanjavur Cr.No.160 of 2016 on the file of the respondent /police pending investigation.

For Petitioner : Mr.K.Kumaravel

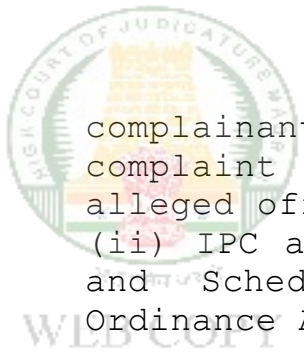
For Respondent : Mr.K.V.Rajarajan,
Government Advocate
(Criminal side)

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.160 of 2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1.side) for the respondent.

3.The sum and substance of the complaint against the petitioner/A5 is that the petitioner has threatened the defacto complainant. The other accused have attacked the defacto



complainant by using deadly weapons and caused injuries. The said complaint has been registered in Crime No.160 of 2016 for the alleged offences under Sections 147, 148, 294(b), 323, 324 and 506 (ii) IPC and Section 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2015.

4. It is represented by the learned counsel for the petitioner that the petitioner has tried to effect compromise between the defacto complainant and accused and he has no connection whatsoever with the alleged offence. It is also represented 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 respondent would submit that the injured has already been discharged from the hospital and major portion of investigation is already 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.160 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 (AS)

/True copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Iyyampetta Police Station, Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1CC TO MR.K.KUMARAVEL, ADVOCATE IN SR.NO.34886