



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2016

WEB COPY

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P. (MD) .No.10964 of 2016

Pandi

.. Petitioner

Vs.

State rep. by
the Inspector of Police,
Rajathani Police Station,
Theni District.
(Crime No.168 of 2016)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the District & Sessions Judge, PCR Court, Theni to consider the bail application of the petitioner / accused in Cr.No.168 of 2016 on the file of the respondent police.

For Petitioner : No appearance

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

ORDER

It is an application seeking a direction to the District and Sessions Court/PCR Court, Theni to consider the bail application of the petitioner on the same day of his surrender in Crime No.168 of 2016.

2.No representation for the petitioner. Heard the learned Government Advocate (Crl.side) for the respondent.

3.The sum and substance of the complaint against the petitioner/sole accused is that the petitioner has given life threat to the defacto complainant and scolded him by mentioning his caste name. The said complaint has been registered in Crime No.168 of 2016 for the alleged offences under Sections 294(b), 323 and 506(i) IPC r/w 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 due to previous motive, the petitioner has been falsely implicated in the present case. The petitioner 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.168 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(CS-I)

/True copy/

Sub Assistant Registrar

To

1.The District and Sessions Court/PCR Court, Theni

2.The Inspector of Police,
Rajathani Police Station, Theni District.

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

+1cc to Mr.N.Ranjit Advocate in SR.No.35079

SDR/SK-SKN/SAR II/14.07.2016/2P/5C

Cr1.O.P(MD)No.10964 of 2016
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