



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.07.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P. (MD) No.11002 of 2016

P.Subbukutty

... Petitioner/A2

-vs-

The State rep. by its
The Inspector of Police,
Kayathar Police Station,
Tuticorin District.
(Crime No.229/2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act, the Additional District Judge No.II, Tirunelveli to consider the bail application on the same day which would be filed by the petitioner in Crime No.229 of 2016 on the file of the respondent police.

For Petitioner : No appearance

For Respondent : Mr.P.Kandasamy
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli, to consider the bail application of the petitioner on the same day of his surrender in connection with Crime No.229 of 2016.

2.The sum and substance of the complaint is that due to previous motive, the petitioner along with A1 abused the defacto complainant in filthy language and also by his caste name and wrongfully restrained the defacto complainant. The said complaint has been registered in Crime No.229 of 2016 for the alleged offences under Sections 341, 294(b) IPC and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 2015 and Section 4 of Tamilnadu Prevention of Woman Harassment Act, 2002.

3.According to the petitioner, he has been falsely implicated in this case and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any bail application and therefore, the petitioner has come up with this petition.



4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that no injury has been caused in the occurrence and the major part of the investigation is over.

5. 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.229 of 2016 and consider bail application of the petitioner and dispose of the same on merits and in accordance with law, on the same day of his surrender.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub-Assistant Registrar

To:

1. The II Additional District and Sessions Judge,
(PCR Court), Tirunelveli,

2. The Special Judge,
SC/ST (Prevention of Atrocities Act),
Tirunelveli

3. The Inspector of Police,
Kayathar Police Station,
Tuticorin District.

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

+One cc to Mr. C. Kishore, Advocate, SR.No.35302

sj

RL/6C/2P/NGM/MP/SARII/14/7/2016

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