



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALACrl.O.P.(MD) No.11143 of 2016

D.Kathiresan

... Petitioner/Accused

-vs-

1.The Deputy Superintendent of Police,
Sattur Town,
Virudhunagar District.

2.The Inspector of Police,
Sattur Town Police Station,
Sattur Town,
Virudhunagar District.
(Crime No.418/2016)

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Principal District and Sessions Judge, (PCR Court), Virudhunagar District at Srivilliputtur to consider the bail application of the petitioner herein in the event of his surrender on the very same date in connection with Crime No.418 of 2016 on the file of the 2nd respondent police.

For Petitioner : Mr.M.Thirunavukkarasu

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

O R D E R

This petition has been filed seeking a direction to the learned Principal District and Sessions Judge (PCR Court), Virudhunagar District at Srivilliputhur to consider the bail application of the petitioner on the same day of his surrender in connection with Crime No.418 of 2016.

2.The sum and substance of the complaint is that the defacto complainant is the President of Mettamalai Panchayat and the petitioner is the Secretary of that Panchayat and on 01.07.2016, when the defacto complainant asked the petitioner to submit the accounts of the Panchayat, the petitioner abused the defacto complainant by his caste name and attacked the defacto complainant with stick and also bite his wife. The said complaint has been registered in Crime No.418 of 2016 for the alleged offences under Sections 323, 324 IPC r/w Sections 3(1)(r)(s), 3(2), (5A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.



3. The Learned counsel for the petitioner would submit that this is a case in counter and the petitioner has been falsely implicated in the case since he refused to create false accounts for panchayat funds and 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.

4. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that the injured has been discharged from the hospital; the weapon used is only stick; 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.418 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 Principal District and Sessions Judge,
(PCR Court),
Virudhunagar District @ Srivilliputhur.

2. The Deputy Superintendent of Police,
Sattur Town,
Virudhunagar District.

3. The Inspector of Police,
Sattur Town Police Station,
Sattur Town,
Virudhunagar District.

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

+1CC to M/S. M.Thirunavukkarasu, Advocate, SR.No. 35215

Crl.O.P.(MD) No.11143 of 2016

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