



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2016

WEB COPY

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.12324 of 2016

Palani Nathan

.. Petitioner/Accused No.2

Vs.

1.The Deputy Superintendent of Police,
Keelakarai Division,
Ramanathapuram District.

2.State through Inspector of Police,
Sayalkudi Police Station,
Crime No.131 of 2016,
Ramanathapuram District.

.. Respondents/Complainants

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Principal District and Sessions Judge (Special Case for PCR) Court, Ramanathapuram District to accept the surrender of the petitioner and consider his bail application on the same day in relating to Crime No.131 of 2016 on the file of the 2nd respondent police.

For Petitioner : M/s.D.Farjana Ghoushia

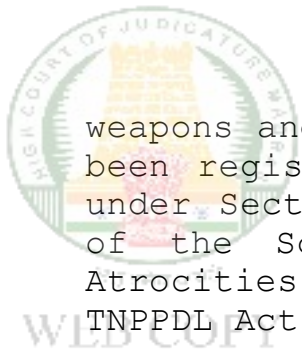
For Respondents : Mr.A.P.Balasubramani
Government Advocate
(Criminal side)

ORDER

It is an application seeking a direction to the Principal District and Sessions Judge (Special Case for PCR) Court, Ramanathapuram District to consider the bail application of the petitioner on the same day of his surrender in Crime No.131 of 2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondents.

<https://hcservices.ecourts.gov.in/Ecse/CaseSum> and substance of the complaint against the petitioner/A2 is that on 02.07.2016 at about 03.15 pm., the petitioner attacked the defacto complainant by using deadly



weapons and also abused in filthy language. The said complaint has been registered in Crime No.131 of 2016 for the alleged offences under Sections 341, 294(b), 324 and 307 IPC r/w Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2014 and Section 3 of the TNPPDL Act.

4.The learned counsel for the petitioner would submit that the petitioner is an auto driver and he has no previous motive with the defacto complainant and there is only a wordy quarrel between the petitioner and defacto complainant. The learned counsel has also represented that the injured has been discharged from the hospital 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.

5.The learned Government Advocate (Crl. Side) appearing for the respondents would submit that the injured has been discharged from the hospital and major portion of investigation is 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.131 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(Writs)

/True copy/

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge
(Special Case for PCR) Court,
Ramanathapuram District

2.The Deputy Superintendent of Police,
Keelakarai Division,

Ramanathapuram District.



3.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

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

+1cc Mr.D.Farjana Ghoushin, Advocate Sr.No.38379

mj

sm:NGM-MP:SAR III:3P/6C

Cr1.O.P(MD)No.12324 of 2016

21.07.2016