



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.12489 of 2016

1.Muthupandi
2.Sundar

... Petitioners/ A1 and A2

-Vs-

The State rep. by the
Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
(Crime No.147 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Principal Sessions Judge, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act cases) to consider the bail application on the surrender of the petitioners in connection with case in Crime No.147 of 2016, pending investigation on the file of the respondent on merits on the same day.

For Petitioner : Mr.G.Marimuthu
For Respondent : Mr.A.P.Balasubramani,
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned Principal Sessions Judge, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act cases), to consider the bail application of the petitioners on the same day of their surrender in Crime No.147 of 2016.

2.The sum and substance of the complaint is that on 15.07.2016 the petitioners abused the defacto complainant in filthy language and also by his caste name and also attacked him with deadly weapons. The said complaint has been registered in Crime No.147 of 2016 for the alleged offences under Sections 294(b), 324, 506(ii) IPC and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 2015.

3.Learned counsel for the petitioners would submit that the petitioners have been falsely implicated in the case due to previous motive and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Learned Government Advocate (Crl. Side) appearing for the respondent would submit that the injured has been discharged from the



hospital and that the major part of the investigation over.

5. Having regard to the facts and circumstances of the case, the petitioners are directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.147 of 2016 and consider bail application of the petitioners and dispose of the same on merits and in accordance with law, on the same day of their surrender.

6. This Criminal Original Petition is disposed of accordingly.

Sd/

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar.

To:

1. The Principal Sessions Judge, Virudhunagar District,
at Srivilliputhur (Special Court for SC/ST Act cases).
2. The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.G.Marimuthu, Advocate, SR.No. 38833

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22.07.2016

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AM/SK.SKN/SAR-I/25.07.2016/2P/5C