



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

CrI.O.P. (MD) .No.12618 of 2016

1.Thavasu Kumar @ Thavakumar
2.Karuppiah
3.Mangaiyarkarasi .. Petitioners

Vs.

State rep. by
the Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.510 of 2016) .. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Learned District and Sessions Court/Special Court (PCR), Sivagangai to consider the bail application of the petitioners on the same day in Crime No.510 of 2016 on the file of the Respondent.

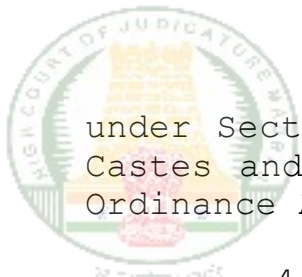
For Petitioners : Mr.R.Karunanidhi
For Respondents : Mr.A.P.Balasubramani
Government Advocate
(Criminal side)

ORDER

It is an application seeking a direction to the learned District and Sessions Court/Special Court (PCR), Sivagangai to consider the bail application of the petitioners on the same day of their surrender in Crime No.510 of 2016.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.side) for the respondent.

3.The sum and substance of the complaint against the petitioners/A1 to A3 is that the defacto complainant has rented out his shop to the third petitioner/third accused. When the defacto complainant has asked the third petitioner to vacate the shop, there was a wordy quarrel between the defacto and the petitioners. The petitioners have abused the defacto complainant by using caste name and also assaulted him. The said complaint has been registered in Crime No.510 of 2016 for the alleged offences



under Sections 294(b) and 324 IPC r/w 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2014.

4. It is represented by the learned counsel for the petitioners that the petitioners have not attacked the defacto complainant and they have no previous motive against the defacto complainant and they have been falsely implicated in the case. The learned counsel has also represented 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.

5. The learned Government Advocate (Crl. Side) appearing for the respondent 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 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 a bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.510 of 2016 and consider their bail application and dispose of the same on merits and in accordance with law, on the same day of their surrender.

7. With the above direction, this petition is disposed of.

sd/
Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1. The District and Sessions Court/Special Court (PCR),
Sivagangai.

2. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1cc to Mr.R.Karunanithi, Advocate in SR.No.39152

SDR/PEK/29.07.2016/2P/5C