



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.12769 of 2016

WEB COPY

C.Karthi @ Karthick

... Petitioner/Accused No.4

-Vs-

1.State rep. by the
Deputy Superintendent of Police,
Manamadurai Taluk, Manamadurai,
Sivagangai District..

2.State rep. by the
Inspector of Police,
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.
(Crime No.348 of 2016)

... Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Additional Sessions Judge (PCR Cases), Sivagangai to accept the surrender of the petitioner in Crime No.348 of 2016 on the file of the 2nd respondent and to consider the bail petition of the petitioner which would be filed on the same day of the surrender.

For Petitioner : Mr.R.Pandi Maharaja

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 Special Additional Sessions Judge (PCR Cases), Sivagangai, to consider the bail application of the petitioner on the same day of his surrender in Crime No.348 of 2016.

2.The sum and substance of the complaint is that due to previous motive, the petitioner along with other accused abused the defacto complainant in filthy language and also by his caste name, and attacked him with stick. The said complaint has been registered in Crime No.348 of 2016 for the alleged offences under Sections 147, 294(b), 323 and 506(i) IPC and Section 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989.

3.Learned counsel for the petitioners would submit that the petitioner has 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 petitioner cannot move any anticipatory bail application and therefore, the petitioner has come up with this petition.



4. Learned Government Advocate (Crl. Side) appearing for the respondents would submit that the injured has been discharged from the hospital and that 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 bail application. The Court concerned is directed to accept the surrender of the petitioner in Crime No.348 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(Records)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The Special Additional Sessions Judge (PCR Cases),
Sivagangai.
2. The Deputy Superintendent of Police,
Manamadurai Taluk, Manamadurai,
Sivagangai District..
3. The Inspector of Police,
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.R.Pandi Maharaja, Advocate in SR.No.39358

Crl.O.P. (MD) No.12769 of 2016
26.07.2016

gcg

PA/NGM-MP/SAR III/27.07.2016/2P/6C (IT)