



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.12870 of 2016

WEB COPY

1.B.Muthu Kumar
2.R.Raman @ Muthu
3.Theva

... Petitioners/Accused

-Vs-

1.The State rep. by the
Deputy Superintendent of Police,
Thiruparangundram,
Madurai District.

2.The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai District.

(Crime No.336 of 2016)

... Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned III-Additional District and Sessions Judge (PCR Act cases), Madurai to consider the bail application on the the same day filed by the petitioners/accused in Crime No.336 of 2016 dated 17.06.2016 on the file of the 2nd respondent police.

For Petitioner : Mr.P.Muthu Vijaya Pandian

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 III-Additional District and Sessions Judge (PCR), Madurai, to consider the bail application of the petitioners on the same day of their surrender in Crime No.336 of 2016.

2.The sum and substance of the complaint is that due to wordy quarrel, the petitioners abused the defacto complainant in filthy language and also by his caste name and attacked him by stick. The said complaint has been registered in Crime No.336 of 2016 for the alleged offences under Sections 294(b), 341, 323 IPC r/w Section 3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989.

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 the petitioners have come up with this petition.



4. Learned Government Advocate (Crl. Side) appearing for the respondents would submit that no one sustained injury in this case; there was only a wordy quarrel; and the major part of the investigation is over.

WEB COPY

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.336 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(Records)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The III-Additional District and Sessions Judge (PCR),
Madurai.

2. The Deputy Superintendent of Police,
Thiruparangundram,
Madurai District.

3. The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai District.

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

+1cc to Mr.P.Muthu Vijaya Pandian, Advocate in SR.No. 40308

Crl.O.P.(MD) No.12870 of 2016

26.07.2016

gcg

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