



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.12959 of 2016

M.Pandi @ Pandiarajan

... Petitioner/Sole Accused

-Vs-

State rep. by the
Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.

(Crime No.219 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned District and Sessions Court cum PCR Court, Sivagangai to dispose the bail application filed by the petitioner on merits on the same day of his surrender before the above mentioned concerned Court in pending investigation in Crime No.219 of 2016 on the file of the respondent Police.

For Petitioner : Mr.R.Amarnath

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 District and Sessions Judge (PCR), Sivagangai, to consider the bail application of the petitioner on the same day of his surrender in Crime No.219 of 2016.

2.The sum and substance of the complaint is that due to previous motive, the petitioner abused the defacto complainant in filthy language and also by his caste name, and attacked him with aruval. The said complaint has been registered in Crime No.219 of 2016 for the alleged offences under Sections 294(b), 324, 506(ii) IPC r/w Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 2015.

<https://hcservices.ecourts.gov.in/hcservices> 3.The learned counsel for the petitioner 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.219 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 District and Sessions Judge (PCR),
Sivagangai.

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

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

+1CC to M/S.R.Amarnath, Advocate, SR.No. 41387

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