



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P. (MD) .No.13883 of 2016

1.Ramesh

2.Pratheesh

..Petitioners/Accused 1 & 2

Vs.

State rep. by
the Inspector of Police,
Andipatti Police Station,
Theni District.
(Crime No.296 of 2016)

..Respondent/Complainant.

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the District and Sessions Judge (PCR Court) Theni to consider the bail application of the petitioners on the same day on merits in the event of their surrender in connection with crime No. 296 of 2016 on the file of the Respondent.

For Petitioners : Mr.N.Sathish Babu

For Respondent : Mr.P.Kandasamy

Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the District and Sessions Judge (PCR Court) Theni to consider the bail application of the petitioners on the same day of their surrender in Crime No.296 of 2016.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1.side) for the respondent.

3.The sum and substance of the complaint against the petitioners/A1 and 2 is that there is a money dispute between the petitioners and defacto complainant and due to that the petitioners attacked the defacto complainant with wooden log by using caste name. The said complaint has been registered in Crime No.296 of 2016 for the alleged offences under Sections 342, 323, 506(i) IPC **(*)Section 3 and 4 of the Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003** r/w 3(1)(4), 3(1)(s) and 3(2)(v a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2015.

4.It is represented by the learned counsel for the petitioners that the petitioners have been falsely implicated in the case and they have no connection whatsoever with the alleged



offence. 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 part 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.296 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-I)

/True Copy/

**(*)Amended vide order dated 12.08.2016
in Crl.MP(MD)no.6908/2016 in
Crl.OP(MD)No.13883/2016.**

Sub Assistant Registrar(CS)

To

(*)To be substituted for the order already despatched

1. The District and Sessions Judge (PCR Court)
Theni.

2. The Inspector of Police, Andipatti Police Station,
Theni District.

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

+1CC to M/S. N.Sathish Babu, Advocate, SR.No.44328

Crl.O.P(MD)No.13883 of 2016
05.08.2016

mj

AM/AAL.MPA/SAR-I/05.08.2016/2P/5C

PBK/KP/SAR AE 17/08/2016 ::2P-5C:: (IT)