



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.14128 of 2016

1.Abel @ Dinakaran

2.Solomon

.. Petitioners

Vs.

The State of Tamil Nadu,
rep.by the Inspector of Police,
Nazereth Police Station,
Thoothukudi District
Crime No.180/2016.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the II Additional District Court (PCR) Tirunelveli to consider the petitioners' bail application on the same day in connection with the case in Cr.No.180 of 2016 on the file of the Respondent Police.

For Petitioners

: Mr.V.Kannan

For Respondents

: Mr.A.P.Balasubramani

Government Advocate
(Criminal side)

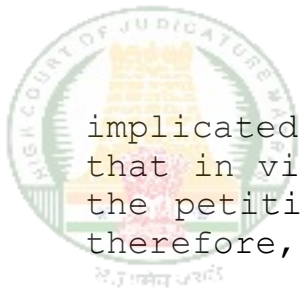
ORDER

It is an application seeking a direction to the II Additional District Court (PCR), Tirunelveli to consider the bail application of the petitioners on the same day of their surrender in Crime No.180 of 2016.

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

3.The sum and substance of the complaint against the petitioners/A2 and 3 is that on 08.07.2016 at about 08.45 pm, the petitioners have attacked the defacto complainant and abused him by mentioning caste name. The said complaint has been registered in Crime No.180 of 2016 for the alleged offences under Sections 323 and 506(i) IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2014.

<https://hcservices.ecourts.gov.in/hcservices/> is represented by the learned counsel for the petitioners that no such occurrence has taken place as alleged by the defacto complainant and the petitioners 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 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.180 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(Record)

/True copy/

Sub Assistant Registrar

To

1. The II Additional District Court (PCR), Tirunelveli

2. The Inspector of Police,
Nazereth Police Station,
Thoothukudi District.

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

+1cc to MR.V.Kannan, Advocate SR.No.42997

mj

sm:KP:26/08/2016:2P/5C

Crl.O.P(MD)No.14128 of 2016
08.08.2016