



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2016

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CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P.(MD)No.14580 of 2016

Balamurugan

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
Satthankulam Sub Division,
Thoothukudi District.

2.The State through,
The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
(Crime No.226 of 2016)

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Honourable II Additional District & Sessions Judge (PCR) Tirunelveli to consider the bail application filed by the petitioner and pass order in the bail application filed by the petitioner on the same date of his surrender in Crime No.226/2016 on the file of the Respondent No.2 in accordance with law.

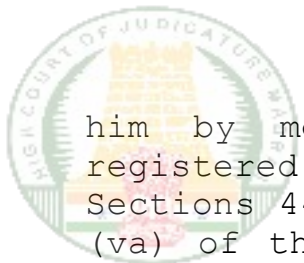
For Petitioner : Mr.L.M.Vijaiboominathan
For Respondents : Mr.A.P.Balasubramani,
Government Advocate.(Criminal Side)

ORDER

It is an application seeking a direction to the II Additional District & Sessions Judge (PCR) Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in Crime No.226 of 2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1.side) for the respondents.

3.The sum and substance of the complaint against the petitioner/A1 is that on 07.06.2016, the daughter of the defacto complainant/ A2 thrown a stone on the dog of the petitioner, but it fell down on the door of the petitioner's house. Therefore, the petitioner has quarreled with the defacto complainant and abused



him by mentioning caste name. The said complaint has been registered in Crime No.226 of 2016 for the alleged offences under Sections 448, 294(b), 506(ii) IPC r/w 3(1), 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Act, 2015 and 3(1) of TNPPDL Act.

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4.It is represented by the learned counsel for the petitioner that the petitioner is an innocent person and he did not commit any offence as alleged in the FIR. The learned counsel has also represented 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.

5.The learned Government Advocate (Crl. Side) appearing for the respondent would submit that no one has sustained injury and major part of investigation is over.

6.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 a bail application. The Court concerned is directed to accept the surrender of the petitioner in Crime No.226 of 2016 and consider his bail application and dispose of the same on merits and in accordance with law, on the same day of his surrender.

7.With the above direction, this petition is disposed of.

Sd/

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

- 1.The II Additional District & Sessions Judge (PCR)
Tirunelveli.
2. The Deputy Superintendent of Police, Satthankulam Sub Division,
Thoothukudi District.
- 3.The Inspector of Police,Thiruchendur Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/S.L.M.Vijai Boominathan, Advocate, SR.No. 48337

Crl.O.P. (MD)No.14580 of 2016

30.08.2016