



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2016

WEB COPY

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P.(MD).No.15108 of 2016

1.Manokaran
2.Thangaraj
3.Kalaiyarasan

.. Petitioners/Accused 1 to 3

Vs.

1.State rep. by
The Deputy Superintendent of Police,
Keeranur, Pudukottai District.

2.The Sub Inspector of Police,
Viralimalai Police Station,
Pudukottai District.

.. Respondents/Complainants.

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Principal District & Sessions Judge, Special PCR Court, Pudukkottai on consider the petitioners' bail application filed by the petitioners on the same day of surrender in Cr.No. 244 of 2016 on the file of the respondent police.

For Petitioners	: Mr.P.Ganapathi Subramanian
For Respondents	: Mr.K.V.Rajarajan Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the Principal District & Sessions Judge, Special PCR Court, Pudukkottai to consider the bail application of the petitioners on the same day of their surrender in Crime No.244 of 2016.

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

3.The sum and substance of the complaint against the petitioners/A1 to A3 is that on 10.08.2016, the petitioners have assaulted the defacto complainant and abused him with caste name. The said complaint has been registered in Crime No.244 of 2016 for the offences under Sections 341 and 323 IPC r/w 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2014.



4.It is represented by the learned counsel for the petitioners that the petitioners have no connection whatsoever with the alleged offence and only due to previous enmity, they 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 no one has sustained injury 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.244 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-II)

/True Copy/

Sub Assistant Registrar.

To

1.The Principal District & Sessions Judge, Special PCR Court, Pudukkottai

2.The Deputy Superintendent of Police,
Keeranur, Pudukkottai District.

3.The Sub Inspector of Police, Viralimalai Police Station,
Pudukkottai District.

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

+1CC to M/S.P.Ganapathi Subramanian, Advocate, SR.No. 45596

Crl.O.P(MD)No.15108 of 2016

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