



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P. (MD).No.15471 of 2016

1.Periyasami @ Vellaiyan
2.Ramar

.. Petitioners

Vs.

State rep. by
the Inspector of Police,
Koodakovil Police Station,
Madurai District.
(Crime No.180 of 2016)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the III Additional District and Sessions Judge cum SC/ST (Prevention of Atrocities) Act, (PCR Unit), Madurai to consider the bail application of the petitioners on the very same day of their surrender in Crime No.180 of 2016 on the file of the respondent police.

For Petitioners : Mr.S.Sivaprakash
For Respondent : Mr.A.P.Balasubramani
Government Advocate
(Criminal side)

ORDER

It is an application seeking a direction to the III Additional District and Sessions Judge cum SC/ST (Prevention of Atrocities) Act, (PCR Unit), Madurai 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 & A4 is that on 14.08.2016, there is a wordy quarrel between the petitioners and defacto complainant and due to that the petitioners have attacked the defacto complainant by using hands and also abused caste name. The said complaint has been registered in Crime No.180 of 2016 for the alleged offences under sections 294(b), 323, 506(i) IPC and 3(1)(r)(s) 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 are innocent persons and they have been falsely implicated in the present 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 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.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 (Records)

/True copy/

Sub Assistant Registrar

To

1.The III Additional District and Sessions Judge cum
SC/ST (Prevention of Atrocities) Act, (PCR Unit),
Madurai.

2.The Inspector of Police,
Koodakovil Police Station, Madurai District.

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

+1cc to Mr.S.SIVA PRAKESH, ADVOCATE SR.No. 46643

mj

JA-SKS-RR-2.09.2016/2P:5C

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23.08.2016