



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2016

CORAM:

THE HONOURABLE Dr.JUSTICE S.VIMALA

CrI.O.P. (MD) .No.15501 of 2016

WEB COPY

S.Nachimuthu

.. Petitioner

Vs.

State rep. by

1. The Deputy Superintendant of Police,
Theni.

2. The Inspector of Police,
Palanichettipati Police Station,
Theni Taluk,
Theni District,
Crime No.482 of 2016.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Principal Sessions Judge, Theni District to consider the bail application of the petitioner in Cr.No.482 of 2016 on the same date of surrender and dispose the same on its merits in accordance with law.

For Petitioner : Mr.V.Gopalsamy

For Respondents : Mr.A.P.Balasubramani
Government Advocate
(Criminal side)

ORDER

It is an application seeking a direction to the Principal Sessions Judge, Theni District to consider the bail application of the petitioner on the same day of his surrender in Crime No.482 of 2016.

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

3.The sum and substance of the complaint against the petitioner/A1 is that on 22.03.2016, the petitioner along with other accused have trespassed into the property of the defacto complainant, damaged fence and threatened to kill him and also used caste name. The said complaint has been registered in Crime No.482 of 2016 for the alleged offences under Sections 448, 427, 294(b) and 506(i) IPC and 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Act, 1989.



4.It is represented by the learned counsel for the petitioner that the petitioner is an innocent and he has 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 petitioner cannot move any anticipatory bail application and therefore, the petitioner has come up with this petition.

5.The learned Government Advocate (Cr1. Side) appearing for the respondent would submit that 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.482 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(AS)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Principal Sessions Judge, Theni District.
- 2.The Deputy Superintendant of Police,Theni.
- 3.The Inspector of Police,
Palanichettipati Police Station,
Theni Taluk,Theni District,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1cc to M/S.V.Gopalsamy, Advocate in SR.No.46800

Cr1.O.P (MD)No.15501 of 2016
23.08.2016

mj

PA/GSV-PM/29.08.2016/2P/6C