



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2016

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

Crl.O.P. (MD) .No.15577 of 2016

1. Arulkulanthaisamy
2. Humayun
3. Shanmugam
4. Mani
5. Dhakshnimoorthy
6. Saravanan
7. Mahesh
8. Suresh
9. Nasubidheen
10. Iqbal
11. M. Sabanayagam
12. Veeramani
13. Anwarkabir
14. Ml. Abdul Gafoor
15. Ahmed yasin

.. Petitioners/A1 to A15

Vs.

State Rep.by
The Inspector of Police,
Kumbakonam Taluk Police Station,
Kumbakonam,
Thanjavur District.
(Crime No. 372 of 2016)

.. Respondent/Complainant.

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, Praying to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur to accept the surrender of the petitioners and to consider their bail on the same day of surrender in connection with Crime No. 372 of 2016 on the file of the respondent police.

For Petitioner	: Mr.R.M.Sivakumar,
For respondents	: Mr.A.P.Balasubramani, Government Advocate (Criminal side)

ORDER

This Petition has been filed seeking a direction to the Additional District and Sessions Judge (PCR Court), Thanjavur, to consider the bail application of the petitioners on the same day of their surrender in Crime No. 372 of 2016.



2. The sum and substance of the complaint is that when the defacto complainant, who is a student in a Polytechnic College, along with other students, asked the Management of the college to implement G.O.Ms.No.92, the petitioners herein abused the defacto complainant in filthy language and also by his caste name, and attacked the him with deadly weapons. The said complaint has been registered in Crime No.372 of 2016 for the alleged offences under Sections 147, 148, 294(b), 323,324, 506(ii) IPC r/w Section 3(1) (r) (s), 3(1) (S) and 3(2) (Va) of the Scheduled Castes and Schedules Tribes (Prevention of Artrocities) Act.

3. Learned counsel for the petitioners would submit that the petitioners have been falsely implicated in the case due to previous motive and that in view of the Specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, they have come up with this petition.

4. Learned Government Advocate(Crl.Side) appearing for the respondent would submit that the injured has been discharged from the hospital and that the major part of the investigation is over.

5. 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 bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.372 of 2016 and consider bail application of the petitioners and dispose of the same on merits and in accordance with law, on the same day of their surrender.

6. This Criminal Original Petition is disposed of accordingly.

Sd/

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

1.The I-Additional District and Sessions Judge (PCR Court),
Thanjavur.

2.The Inspector of Police, Kumbakonam Taluk Police Station,
Kumbakonam, Thanjavur District.

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

+1CC to M/S. R.M.Sivakumar, Advocate, SR.No.46875