



aBEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.09.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.15846 of 2016

1.Gopi @ Gopinath
2.Mani @ Manimaran

... Petitioners/ A1 & A2

-Vs-

The Inspector of Police,
Pappagudi Police Station,
Tirunelveli District.
(Crime No.125 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Special Judge for SC/ST Act, Tirunelveli to consider the bail application of the petitioners/Accused in Crime No.125/2016 on the file of the respondent on the date of surrender of the petitioners itself.

For Petitioners	: Mr.R.Ramachandran
For Respondent	: Mr.K.Anbarasan
	Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the Special Judge for SC/ST Act, Tirunelveli to consider the bail application of the petitioners/Accused in Crime No.125/2016 on the file of the respondent on the date of surrender of the petitioners itself.

2.The sum and substance of the complaint is that due to previous enmity, there was a quarrel between both parties and the petitioners are said to be abused the defacto complainant in filthy language and also by his caste name and also attacked with deadly weapons. The said complaint has been registered in Crime No.125 of 2016 for the alleged offences under Sections 294(b), 427 I.P.C. r/w Section 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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 16 of the Cr.P.C. Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners 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. He would further submit that there are four previous cases as against the first petitioner.

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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.125 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(P&A)

/True Copy/

Sub Assistant Registrar.

To:

1. The Special Judge for SC/ST Act, Tirunelveli.
2. The Inspector of Police,
Pappagudi Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.P.Ramachandran, Advocate, SR.No. 51560

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