



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2016

CORAM:

THE HONOURABLE Dr.JUSTICE S.VIMALA

CrI.O.P. (MD) .No.15885 of 2016

1.E.Devaraj
2.P.Vasanth
3.A.Balu

.. Petitioners/Accused No.3 to 5

Vs.

State rep. by
the Inspector of Police,
Manikandam Police Station,
Trichy District.
(Crime No.56 of 2016)

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the I Additional District and Sessions Judge, (PCR) Trichy to accept the surrender of the petitioners in Crime No.56 of 2016 on the file of the respondent and to consider the bail petition of the petitioners which would be filed on the same day of the surrender.

For Petitioners : Mr.R.Pandi Maharaja

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

ORDER

It is an application seeking a direction to the I Additional District and Sessions Judge, (PCR) Trichy to consider the bail application of the petitioners on the same day of their surrender in Crime No.56 of 2016.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.side) for the respondent.

3.The sum and substance of the complaint against the petitioners/A3 to A5 is that the defacto complainant has contested in the Assembly election as an independent candidate and while canvassing in Manikandam Union, two persons have asked him to take the vehicle and scolded him by using filthy language and also mentioned caste name. The said complaint has been registered in Crime No.56 of 2016 for the alleged offences under Sections 147, 294(b), 336 and 506(i) IPC r/w 3(1)(r)(s), 3(2)(va) 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 have not involved in any such activities as alleged in the FIR and 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 there was a wordy quarrel between the defacto complainant and petitioners 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.56 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(AS)

/TRUE COPY/

Sub Assistant Registrar

To

1.The I Additional District and Sessions Judge, (PCR)
Trichy.

2.The Inspector of Police,
Manikandam Police Station,
Trichy District.

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

+1cc to M/S.K.Pandi Maharaja, Advocate in SR.No.48225

Crl.O.P (MD) No.15885 of 2016
29.08.2016

mj

PA/GSV-PM/SAR I/31.08.2016/2P/5C(IT)