



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2016

CORAM

THE HON'BLE MR. JUSTICE K. KALYANASUNDARAM**CrI.O.P. (MD) No.16354 of 2016**

WEB COPY

1. Subramani
2. Mariya Deva
3. Gobi

... Petitioners

-Vs-

1. The Assistant Superintendent of Police,
Office of the Assistant Superintendent of Police,
Madurai District, Madurai.

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

(Crime No.36 of 2016)

... Respondents/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Additional District and Sessions Court for PCR cases, Madurai to consider the bail application that will be filed by the petitioners in Crime No.36 of 2016 on the file of the second respondent police, on the same day of its filing.

For Petitioners : Mr.I.Sabeer Mohamed

For Respondents : Mr.K.Anbarasan
Govt. Advocate (CrI.Side)**O R D E R**

This petition has been filed seeking a direction to the Additional District and Sessions Court for PCR cases, Madurai to consider the bail application that will be filed by the petitioners in Crime No.36 of 2016 on the file of the second respondent police, on the same day of its filing.

2. The sum and substance of the complaint is that when the petitioner in CrI.O.P.(MD)No.16068 of 2016 is teasing the defacto complainant's daughter, there was a wordy quarrel between the petitioner and the defacto complainant and the petitioners in this petition are said to be attacked the defacto complainant's daughter and mother and abused them in filthy language and also by their caste name. The said complaint has been registered in Crime No.36 of 2016 for the alleged offences under Sections 147, 352, 323, 354, 427 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 3(2)(v)(a) of the Scheduled

Castes and Scheduled Tribes (Prevention of Atrocities), Act.

3. Learned counsel for the petitioners would submit that the petitioners has 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 petitioner 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 respondents would submit that the injured has already been discharged from the hospital.

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.36 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(T&P)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The Additional District and Sessions Court for PCR cases, Madurai.
2. The Assistant Superintendent of Police,
Office of the Assistant Superintendent of Police,
Madurai District, Madurai.
3. The Inspector of Police,
Appanthirupathi Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.S.MALAIKANI, ADVOCATE SR NO: 51048

SSL

JA-SS-2-21.09.2016/2P:6C

Crl.O.P.(MD) No.16354 of 2016
08.09.2016