



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.16851 of 2016

1.Maya Thevar
2.Rani
3.M.Murugan
4.M.Alagu Murugan

.. Petitioners

Vs

The State,
rep. by the Inspector of Police,
Allinagaram Police Station,
Theni District.
(Crime No.379 of 2016)

.. Respondent

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the learned Principal District Judge, District Court, (PCR Cases), Theni, to consider their bail application on the same day of their surrender in respect of Crime No.379 of 2016 on the file of the respondent police.

For Petitioners : Mr.M.Subash Babu

For Respondent : Mr.K.Anbarasan
Government Advocate (Crl. Side)

O R D E R

This petitioners seek a direction to the learned Principal District Judge, (PCR Cases), Theni, to release them on bail, on the same day in the event of their surrender and filing bail application Crime No.379 of 2016 on the file of the respondent police.

2. The petitioners are accused for the offences punishable under Sections 294(b) and 323 IPC read with Section 3(1)(r), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment and Ordinance Act, 2015.

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., the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.



4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent.

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.379 of 2016 and consider the 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 ordered accordingly.

Sd/

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar.

To:

1. The Principal District Judge, (PCR Cases),
Theni.

2. The Inspector of Police,
Allinagaram Police Station,
Theni District.

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

+1CC to M/S.M.Subash Babu, Advocate, SR.No. 51229

Crl.O.P.(MD) No.16851 of 2016
08.09.2016

PJL

AM/AAL.MPA/SAR-W/19.09.2016/2P/5C