



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.17875 of 2016

Vasudevan (minor)
represented through his father
V.Muthaiah

...Petitioner/Accused No.1

-Vs-

1.The Stat represented by
The Deputy Superintendent of Police,
Usilampatti, Madurai District.

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

(Crime No.223 of 2016)

...Respondents/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Juvenile Justice Board, Madurai to consider the bail application on the same day of his surrender if any filed by the petitioner/Accused No.1 in Crime No.223 of 2016 registered by the second respondent herein.

For Petitioners : Mr.R.Gowrishankar

For Respondents : Mr.K.Anbarasan

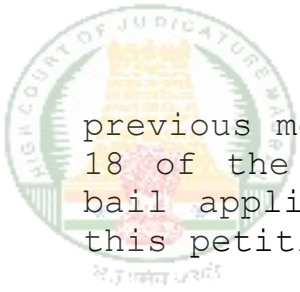
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the Juvenile Justice Board, Madurai to consider the bail application on the same day of his surrender if any filed by the petitioner/Accused No.1 in Crime No.223 of 2016 registered by the second respondent herein.

2.The sum and substance of the complaint is that due to previous motive, at the instigation of A.2 to A.4, on 09.09.2016, the petitioner/A.1 attacked the defacto complainant by using wooden log at his face, hand and leg and scolded him by calling his caste name and issued life threat to him. The said complaint has been registered in Crime No.223 of 2016 for the alleged offences under Sections 294(b), 323, 506(i) **(*)and 109 of I.P.C.** and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989.

3.Learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this 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 petitioner has 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 petitioner is directed to surrender before the Juvenile Justice Board, Madurai within ten days from the date of receipt of a copy of this order and file bail application. The Juvenile Justice Board, Madurai is directed to accept the surrender of the petitioner in Crime No.223 of 2016 and consider bail application of the petitioner and dispose of the same on merits and in accordance with law, on the same day of his surrender.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-

21.09.2016

**(*)Corrected as per order dated 28.09.2016
made in Crl.OP(MD)No.17875/2016 and
Two weeks time is extended to comply with
the earlier order dated.21.09.2016.**

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS)

To:

(*)To be substituted for the order already despatched.

1. The Juvenile Justice Board, Madurai.
2. The Deputy Superintendent of Police,
Usilampatti, Madurai District.
3. The Inspector of Police, Elumalai Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.R.Gowrishankar, Advocate in SR.54323

Crl.O.P. (MD) No.17875 of 2016
21.09.2016

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PBK/AAL-MPA/SAR-I 07/10/2016 ::2P-6C: (IT)