



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.09.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM
Crl.O.P.(MD) No.18591 of 2016

WEB COPY

1.Suresh @ Veerapandian
2.Vinoth
3.Manikandan
4.R.Prasath
5.M.Selvaraj

.. Petitioners 1 to 3/A1 to A3
.. Petitioners 4&5 rank not known

Vs

State rep. by
The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(Crime No.191 of 2016)

.. Respondent/complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the learned 1st Additional District and Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Thanjavur, to accept the surrender of the petitioners and to consider the bail application filed by the petitioners on the same day, in Crime No.191 of 2016 on the file of the respondent police.

For Petitioners : Mr.K.M.Karunakaran

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl. Side)

O R D E R

The petitioners seek a direction to the learned 1st Additional District and Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Thanjavur, to release them on bail, on the same day in the event of their surrender and filing bail application Crime No.191 of 2016 on the file of the respondent police.

2. The petitioners are accused for the offences punishable under Sections 147, 148, 379, 342, 294(b), 323, 324, 365 and 506 (ii) IPC read with Section 3(1)(i), 3(i)(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3. Learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in the case due to previous motive and that in view of the provisions of the said Act, 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. The learned Government Advocate (Crl. Side) on instructions would submit that the injured has already been discharged from the hospital.

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 bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.191 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.

7. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To:

1. The 1st Additional District and Sessions Judge,
Special Court for SC/ST(Prevention of Atrocities) Act,
Thanjavur.

2. The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

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

+1cc to M/s.K.M.Karunakaran, Advocate SR.No.56468

Crl.O.P. (MD) No.18591 of 2016

28.09.2016

pjl

SD/SKS-RR/05.10.2016/2P/5C