



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.18624 of 2016

- 1.Venkatesan
- 2.S.Manikandan
- 3.N.Mathan @ Raj Venkateshwaran
- 4.Diwahar
- 5.Moorthy

.. Petitioners/A1 to A5

Vs

State rep. by
The Inspector of Police,
Kabishthalam Police Station,
Thanjavur District.
(Crime No.333 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 (PCR), Court, Thanjavur, Thanjavur District to accept the surrender of the petitioners and consider the bail application on merits on the date of their surrender in Crime No.333 of 2016 on the file of the Inspector of Police, Kabishthalam Police Station, Thanjavur District.

For Petitioners : Mr.B.Jameel Arasu
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 (PCR), Court, Thanjavur, Thanjavur District, to release them on bail, on the same day in the event of their surrender and filing bail application in Crime No.333 of 2016 on the file of the Inspector of Police, Kabishthalam Police Station, Thanjavur District.

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

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The 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 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.

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.333 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(CS-I)

/True Copy/

Sub Assistant Registrar.

To:

1 The Ist Additional District and Sessions Judge (PCR),
Thanjavur, Thanjavur District.

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

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

+1CC to M/S.B. Jameel Arasu, Advocate, SR.No. 57114

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