



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.09.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM
Crl.O.P.(MD)No.18930 of 2016

WEB COPY

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... Petitioner/Accused No.1

Vs

State rep. Through
The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.
(Crime No.125 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the II-Additional District and Sessions Court (PCR), Tirunelveli to accept the surrender of the petitioner and consider his bail application on the same day in connection with Crime No.125 of 2016 on the file of the respondent Police.

For Petitioner : Mr.P.T.Thiraviyam

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

ORDER

This petition has been filed seeking a direction to the learned II-Additional District and Sessions Judge (PCR), Tirunelveli to accept the surrender of the petitioner and consider his bail application on the same day in connection with Crime No.125 of 2016 on the file of the respondent Police.

2.The sum and substance of the complaint is that due to previous enmity, there was a quarrel between both parties and the petitioner said to be abused the defacto complainant in filthy language and also by his caste name and also attacked with deadly weapons. The said complaint has been registered in Crime No.125 of 2016 for the alleged offences under Sections 294(b), 427 I.P.C. and Section 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3.Learned counsel for the petitioner would submit that the petitioner 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. Therefore, the petitioner has come up with this petition.



4. Learned Government Advocate (Crl. Side) appearing for the respondent would submit that the injured person has been discharged from the hospital. He would further submit that there are four previous cases as against the petitioner.

5. Having regard to the facts and circumstances of the case, the petitioner is 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 petitioner in Crime No.125 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/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The II-Additional District and Sessions Court,
Tirunelveli.

2. The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.

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

+1cc to M/s.P.T.Thiraviyam, Advocate SR.No.57542

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SD/GSV-PM/17.10.2016/2P/5C