



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.10.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM
Crl.O.P.(MD) No.18943 of 2016

WEB COPY

1.Alagar
2.Aruvan @ Arul Kumar
3.Ayyappan

... Petitioners/ Accused

-Vs-

The State represented by
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.519 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Principal District and Sessions Judge (PCR Court), Thanjavur District to dispose the bail application filed by the petitioners on merits on the same day of their surrender before the above mentioned concerned court in pending investigation of Crime No.519 of 2016 on the file of the respondent police.

For Petitioners : Mr.K.Mahendran

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

O R D E R

This petition has been filed seeking a direction to the Principal District and Sessions Judge (PCR Court), Thanjavur District to consider the bail application of the petitioners/Accused in Crime No.519/2016 on the file of the respondent on the date of surrender of the petitioners itself.

2.The sum and substance of the complaint is that while the defacto complainant and his brother were proceeding in a motor bike, the petitioners intercepted them and scolded them filthy language and also by their caste name and also attacked with bottle. The said complaint has been registered in Crime No.519 of 2016 for the alleged offences under Sections 147, 148, 294(b), 341, 324, 342, 355 I.P.C. r/w Section 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance, 2014.

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 18 of the said Act, the petitioners cannot move any anticipatory



bail application and therefore, the petitioners have come up with this petition.

4. Learned Government Advocate (Crl. Side) appearing for the respondent would submit that the injured has already been discharged from the hospital.

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.519 of 2016 and consider 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 disposed of accordingly.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Principal District and Sessions Judge (PCR Court),
Thanjavur District.
2. The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.K.Mahendran, Advocate SR.No.57836

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03.10.2016

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