



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2016

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WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.19704 of 2016

1.Subramani

2.Rajiv Kannan

... Petitioners/Accused Nos.1 & 2

-Vs-

1. The Deputy Superintendent of Police,
Usilampatti Sub-Division,
Madurai District.

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

(Crime No.245 of 2016)

... Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned III Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Madurai to consider the bail application of the petitioners on the same day of their surrender in Crime NO.245 of 2016 on the file of the respondents police.

For Petitioners : Mr.S.Muthumalai Raja

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

O R D E R

This petition has been filed seeking a direction to the learned III Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Madurai to consider the bail application of the petitioners on the same day of their surrender in Crime NO.245 of 2016 on the file of the respondents police.

2.The sum and substance of the complaint is that due money dispute there was a wordy quarrel between the petitioners and the defacto complainant and the petitioners abused the defacto complainant by using filthy language by using her caste name. The said complaint has been registered in Crime No.245 of 2016 for the alleged offences under Sections 294(b), 506(i) I.P.C. r/w Section 3(1)(r), 3(1)(s), of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



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. Heard 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.245 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(C.S-II)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The III Additional Sessions Judge for SC/ST
(Prevention of Atrocities) Act, PCR Court, Madurai.
2. The Deputy Superintendent of Police,
Usilampatti Sub-Division, 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.S.Muthumalai Raja, Advocate in SR.No.61031.

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