



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM**CrI.O.P. (MD) No.19793 of 2016**

WEB COPY

P.Chinnathambi

... Petitioner/Accused No.2

-Vs-

The State represented by
The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District. ... Respondent
(Crime No.73 of 2016)

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the District Sessions Judge (PCR), Sivagangai to accept the surrender of the petitioner in connection with the Crime No.73 of 2016 on the file of the respondent police and to consider and pass orders in the bail application on the same day.

For Petitioner : Mr.S.Jayakumar

For Respondent : Mr.A.P.Balasubramani
Govt. Advocate (CrI.Side)

O R D E R

This petition has been filed seeking a direction to the District Sessions Judge (PCR), Sivagangai to accept the surrender of the petitioners in connection with the Crime No.73 of 2016 on the file of the respondent police and to consider and pass orders in the bail application on the same day.

2.The sum and substance of the complaint is that when the defacto complainant was going to his friend's house, the petitioner with another approached him and insulting him by using his caste name and attacked him with wooden log. The said complaint has been registered in Crime No.73 of 2016 for the alleged offences under Sections 341, 294(b), 324 and 307 I.P.C.r/w Section 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act 2015.

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 and therefore, the petitioner has 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 and there is no previous case as against this petitioner.

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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.73 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 (Records)

/True copy/

Sub Assistant Registrar

To:

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

+1 CC to Mr.S.JAYAKUMAR, Advocate, SR No.60763

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