



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2016

WEB COPY

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P(MD)No.19979 of 2016

1.Ramesh  
2.Vinith  
3.Dinesh  
4.Gurumani  
5.Hari

... Petitioners/Accused Nos.1 to 5

-Vs-

State rep. By  
The Sub-Inspector of Police,  
Devakottai Town Police Station,  
Devakkottai, Sivagangai District.  
In Crime No.243 of 2016

... Respondent/Complainant

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Judge for SC/ST (Prevention of Atrocities) Act/District and Sessions Judge (PCR Unit), Sivagangai to consider the bail application of the petitioners on the same day of their surrender in Crime No.243 of 2016 on the file of the respondent police.

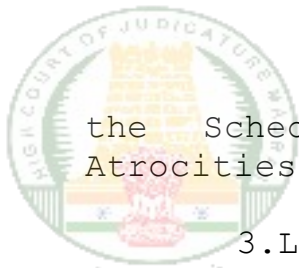
For Petitioners : Mr.V.Maharajan

For Respondent : Mr.P.Kannithevan  
Govt. Advocate (Crl.Side)

**ORDER**

This petition has been filed seeking a direction to the learned Special Judge for SC/ST (Prevention of Atrocities) Act/District and Sessions Judge (PCR Unit), Sivagangai to consider the bail application of the petitioners on the same day of their surrender in Crime No.243 of 2016 on the file of the respondent police.

2.The sum and substance of the complaint is that the petitioners waylaid the defacto complainant and attacked him with wooden log and abused him by using filthy language by using his caste name. The said complaint has been registered in Crime No.243 of 2016 on the file of the respondent police. The petitioners alleged offences under Sections 147, 148, 341, 294(b), 323, 324 and 506(ii) IPC r/w Section 3(1)(r) and 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. 243 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

/True Copy/

Sub Assistant Registrar

ps

To

1 The Special Judge for SC/ST  
(Prevention of Atrocities Act) &  
The District & Sessions Judge  
(PCR Court) Sivagangai

2. The Sub-Inspector of Police,  
Devakottai Town Police Station,  
Devakkottai, Sivagangai District.

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

+1cc to Mr. V. Maharajan, Advocate Sr. No. 61445

JAM/24.10.16/KM/SAR I/2p-5c