



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2016

WEB COPY

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

CrI.O.P.(MD) No.21026 of 2016

1.Muniyandi
2.Raja

... Petitioners/ Accused

-Vs-

1.The Deputy Superintendent of Police,
Peraiyur, Madurai District.
2.State represented by
The Inspector of Police,
T.Ramanathapuram Police Station,
Madurai District.
(Cr.No.61 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 District Sessions Judge (PCR Court), Madurai to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.61 of 2016, dated 30.10.2016 on the file of the respondents.

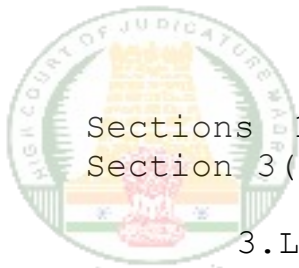
For Petitioners : Mr.P.Balan

For Respondents : Mr.K.Anbarasan
Govt. Advocate (CrI.Side)

O R D E R

This petition has been filed seeking a direction to the learned III Additional District Sessions Judge (PCR Court), Madurai to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.61 of 2016, dated 30.10.2016 on the file of the respondents.

2.The sum and substance of the complaint is that due to previous enmity, the petitioners and others trespassed into the defacto complainant's house and said to have attacked the defacto complainant by using sticks and also they abused the defacto complainant by using his caste name. The said complaint has been registered in Crime No.61 of 2016 for the alleged offences under



Sections 147, 148, 294(b), 452, 323, 324, 506(ii) I.P.C. and Section 3(1)(r), 3(1)(s) of SC/ST 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. Learned Government Advocate (Crl. Side) appearing for the respondent would submit that the injured is not in 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.61 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 (AS)

/True copy/

Sub Assistant Registrar

To:

1. The III Additional District Sessions Court (PCR Court), Madurai

2. The Deputy Superintendent of Police,
Peraiyur, Madurai District.

3. The Inspector of Police,
T.Ramanathapuram Police Station, Madurai District.

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

+1 CC to Mr.P.BALAN, Advocate, SR No.66060

Crl.O.P. (MD) No.21026 of 2016
04.11.2016