



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P.(MD) No.21046 of 2016

1.Bala

2.Ruban @ Malaichamy

3.Alagan

... Petitioners/ Accused Nos.1 to 3

-Vs-

The State represented by
The Inspector of Police,
Othakadai Police Station,
Madurai.

(Crime No.581 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai 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.581 of 2016 on the file of the respondent police.

For Petitioners

: Mr.V.R.Manoharan

For Respondent

: Mr.K.Anbarasan

Govt. Advocate (Cr1.Side)

O R D E R

This petition has been filed seeking a direction to the learned III Additional District and Sessions Judge (PCR Court), Madurai 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.581 of 2016 on the file of the respondent police.

2.The sum and substance of the complaint is that while the defacto complainant was returning to his house, the petitioners, who were consuming liquor, waylaid the defacto complainant and scolded him with filthy language by mentioning his caste name. The said complaint has been registered in Crime No.581 of 2016 for the alleged offences under Sections 147, 341, 324 and 506(ii) I.P.C. r/w 3(2)(Va) of SC/ST Act.



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.581 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 (Records)

/True Copy/

Sub Assistant Registrar

To:

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

+ 1 CC TO Mr.M.S.JEYAKARTHIK, ADVOCATE IN SR No. 65923

SSL

TE/DB/SAR-III : 11/11/2016 : 2P/5C

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