



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.21486 of 2016

Arun @ Arunpandiyan

... Petitioner/ Accused No.2

-Vs-

1.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.The Sub-Inspector of Police,
Sindhupatti Police Station,
Tirumangalam Taluk,
Madurai District.

(Crime No.238 of 2016)

... Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Sessions Judge (Special PCR Court), Madurai District to consider the bail application filed by the petitioner on the same day of surrender in Crime No.238 of 2016 on the file of the Sub-Inspector of Police, Sindhupatti Police Station.

For Petitioner : Mr.M.Mahendran

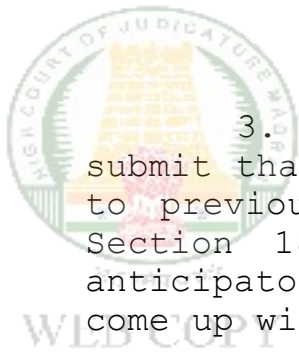
For Respondents : Mr.K.Anbarasan

Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned Sessions Judge (Special PCR Court), Madurai District to consider the bail application filed by the petitioner on the same day of surrender in Crime No.238 of 2016 on the file of the Sub-Inspector of Police, Sindhupatti Police Station.

2.The case of the prosecution is that due to a wordy quarrel between accused and the defacto complainant, the petitioner abused the defacto complainant by using defame words about the defacto complainant's community name. The said complaint has been registered in Crime No.238 of 2016 for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(2) I.P.C. r/w 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act



3. The learned Counsel appearing for the petitioner would submit that 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. The learned Government Advocate (Crl.Side) would submit that the injured has already been discharged from the hospital.

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 petitioners in Crime No.238 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 (CS-I)

/True Copy/

Sub Assistant Registrar.

To:

1. The Sessions Judge (Special PCR Court),
Madurai District.

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

3. The Sub-Inspector of Police,
Sindhupatti Police Station,
Tirumangalam Taluk,
Madurai District.

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

+1CC to M/S.M.Mahendran, Advocate, SR.No. 68392

Crl.O.P. (MD) No.21486 of 2016

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