



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) No.21538 of 2016

1.G.Dinesh
2.A.Karthik @ Karthikeyan
3.S.Deepan
4.P.Selvam

... Petitioners/ Accused Nos.1 to 3&5

-Vs-

State represented by
The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
(Crime No.276 of 2016)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned I Additional Sessions Judge (PCR Act Cases), Trichy to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.276 of 2016 on the file of the respondent.

For Petitioners : Mr.M.Subash Babu

For Respondent : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction to the learned I Additional Sessions Judge (PCR Act Cases), Trichy to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.276 of 2016 on the file of the respondent.

2.The sum and substance of the complaint is that due to a complaint given by the defacto complainant informing about the playing cards inside the garden, where his father is working as gardener, the petitioner and other accused armed with stick and assaulted him. The said complaint has been registered in Crime No.276 of 2016 for the alleged offences under Sections 147, 148, 341, 323 I.P.C. r/w Section 3(1)(s), 3(i)(r), 3(2)(v) of the SC/ST (POA) 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 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.276 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(CSI)

/True Copy/

Sub Assistant Registrar

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To:

1. I Additional Sessions Judge (PCR Act Cases), Trichy.
2. The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.Subash Babu, Advocate Sr.No. 68287

JAM/17.11.16/KP/SAR 3/2p-5c

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